

# TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS

## STRATEGIC PLAN For The Period 2015-2019



*This document is the result of the cooperative efforts of employees throughout the agency. Designed to be a living document, our Strategic Plan will continue to provide direction and inspiration for our efforts throughout the next biennium.*



# AGENCY STRATEGIC PLAN

FOR THE FISCAL YEARS 2015 – 2019

BY

TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS



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# Texas Board of Veterinary Medical Examiners

## STRATEGIC PLAN, FISCAL YEARS 2015-2019

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# I. Statewide Vision, Mission, and Philosophy

## The Vision of Texas State Government

We must continue to adhere to the priorities that have made Texas a national economic leader:

*Ensuring the economic competitiveness of our state by adhering to the principles of fiscal discipline, setting clear budget priorities, living within our means, and limiting the growth of government;*

*Investing in critical water, energy, and transportation infrastructure needs to meet the demands of our rapidly growing state;*

*Ensuring excellence and accountability in public schools and institutions of higher education as we invest in the future of this state and ensure Texans are prepared to compete in the global marketplace;*

*Defending Texans by safeguarding our neighborhoods and protecting our international border; and*

*Increasing transparency and efficiency at all levels of government to guard against waste, fraud, and abuse, ensuring that Texas taxpayers keep more of their hard-earned money to keep our economy and our families strong.*

— Governor Rick Perry

## The Mission of Texas State Government

Texas state government must be limited, efficient, and completely accountable. It should foster opportunity and economic prosperity, focus on critical priorities and support the creation of strong family environments for our children. The stewards of the public trust must be men and women who administer state government in a fair, just, and responsible manner. To honor the public trust, state officials must seek new and innovative ways to meet state government priorities in a fiscally responsible manner.

Aim high . . . we are not here to achieve inconsequential things!

## The Philosophy of Texas State Government

The task before all state public servants is to govern in a manner worthy of this great state. We are a great enterprise, and as an enterprise, we will promote the following core principles.

- First and foremost, Texas matters most. This is the overarching, guiding principle by which we will make decisions. Our state, and its future, is more important than party, politics, or individual recognition.
- Government should be limited in size and mission, but it must be highly effective in performing the tasks it undertakes.
- Decisions affecting individual Texans, in most instances, are best made by those individuals, their families, and the local governments closest to their communities.
- Competition is the greatest incentive for achievement and excellence. It inspires ingenuity and requires individuals to set their sights high. Just as competition inspires excellence, a sense of personal responsibility drives individual citizens to do more than their future and the future of those they love.
- Public administration must be open and honest, pursuing the high road rather than the expedient course. We must be accountable to taxpayers for our actions.
- State government has a responsibility to safeguard taxpayer dollars by eliminating waste and abuse and providing efficient and honest government.
- Finally, state government should be humble, recognizing that all its power and authority is granted to it by the people of Texas, and those who make decisions wielding the power of the state should exercise their authority cautiously and fairly.

## **II. Relevant Statewide Goals and Benchmarks**

### **Priority Goal**

To ensure Texans are effectively and efficiently served by high quality professionals and businesses by:

- Implementing clear standards;
- Ensuring compliance;
- Establishing market based solutions; and
- Reducing the regulatory burden on people and business.

### **Benchmarks**

- Percent of veterinary licensee population with no documented violations.
- Percent of new veterinary licensees as compared to the existing population.
- Percent of documented complaints to the agency resolved within six months.
- Percent of individuals given a test for veterinary licensure who received a passing score.
- Percent of new and renewed veterinary licenses issued online.
- Percent increase in utilization of the state business portal.

# TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS

## III. Mission

The mission of the Texas Board of Veterinary Medical Examiners is to establish and enforce policies to ensure the best possible quality of veterinary and equine dental provider services for the people of Texas.

## IV. Philosophy

The Board and its staff will act in accordance with the highest standards of ethics, accountability, efficiency and openness. We affirm that protection from less than quality veterinary and equine dental provider services is a public and private trust. We approach our activities with a deep sense of purpose and responsibility. The public and regulated community alike can be assured of a balanced and sensible approach to regulation.

### Introduction:

#### *Veterinary Medicine In Texas*

Proudly serving the state, nation, and the world, veterinarians enhance the lives of Texans in countless ways. Not only do veterinarians help our animal companions and support the human-animal bond, they protect animal and human health globally. Veterinarians monitor live animal trade to protect Texas' livestock and its producers and ensure public health through food quality assurance. They also serve as leaders in their community and keep a watchful eye on situations involving public health. However, many people do not realize that they also play a critical role in supporting the economy of Texas.

Because veterinary medicine is a large industry and greatly affects the public's welfare, regulation is imperative. The industry of veterinary medicine includes such areas as private practice, non-traditional veterinary services (zoos, wildlife, fisheries, and animal shelters), academia, as well as employment within state, local and federal government entities. Veterinary medicine makes many contributions to the public sector through services rendered, jobs, taxes paid, and goods purchased. The Texas Veterinary Medical Association (TVMA) and Texas A&M University College of Veterinary Medicine issued a report in September 2012 entitled "Economic Contribution of the Veterinary Medicine Industry in Texas" which shows the veterinary community's economic contributions to the State of Texas.

The total economic contribution of veterinary medicine, as measured by any of the four indicators, is the sum of the direct, indirect, and induced effects. Direct effects are those effects directly associated with the veterinary medical industry. For example, if a veterinary practice employed 13 people and is shut down due to lack of business, the direct effect on employment of the entire veterinary industry is decreased by 13 jobs. Direct effects create a ripple effect on other aspects of the veterinary industry through indirect and induced effects.

Indirect effects occur in sectors that support (provide inputs to) the veterinary sector, while induced effects occur by employees spending their income. Indirect effects are business-to-business effects associated with the practice of veterinary medicine. An example of indirect effects includes purchases of medical equipment, medications, syringes, and office supplies made by a veterinary hospital from another business. Services provided by other businesses to the veterinary industry are also an indirect effect; examples of this include business consulting services and advertising.

Induced effects are business-to-consumer effects. They measure the changes in household income because of the veterinary medical industry. For example, wages paid to a veterinary technician will later be used to pay for the technician's groceries or rent.

The veterinary medicine industry in Texas can be divided into four categories: private veterinary practice, academia, government veterinarians, and private industry veterinarians. These four components of the industry are described in the following sections, along with the economic data used to conduct the analysis.

**Private Veterinary Practice**

Veterinarians who practice veterinary medicine in Texas are required to obtain a Texas license. As of May 2014, there were 6,492 actively licensed veterinarians with Texas addresses. However, not all of these licensed veterinarians work in private veterinary practice. Given that the operational differences between a private practice and a practice managed by a larger company are minimal, these two types of practices were treated the same in this analysis. According to the demographics collected by the Texas Veterinary Medical Association, 60% of their members described themselves as exclusively small animal practitioners.

Texas has a total of 29,131 individuals employed in private veterinary practice. These employees consisted of veterinarians, licensed veterinary technicians, certified veterinary assistants, and other office and clinic staff. The majority of veterinary technicians who worked in private veterinary practices received on-the-job training and did not have any formal training. Other support and office staff includes kennel assistants, receptionists, and other office staff.

Table 1: Estimated Total Economic Contribution of Private Veterinary Practice in Texas

	Direct	Indirect	Induced	Total
Output	\$1,769,762,864	\$669,617,640	\$1,188,489,876	\$3,627,870,380
Employment	29,131	4,193	9,003	42,327
Labor Income	\$941,405,857	\$210,080,377	\$382,987,705	\$1,534,473,939
Value Added	\$1,008,418,444	\$379,090,373	\$706,095,201	\$2,093,604,017

**Academia**

At Texas A&M University, the College of Veterinary Medicine (CVM) and the Veterinary Medical Teaching Hospital (VMTH) together employ professors, veterinarians, veterinary technicians, student workers, receptionists, and many others. Positions such as custodial and maintenance staff members were not included in this employment group because they are employed directly by the university system rather than the CVM. Additionally, there are many colleges across the state that train veterinary technicians. In total, an estimated \$36.4 million was paid in labor income to 1,126 employees (Table 2). In 2011, the CVM and VMTH had expenditures of more than \$68 million in the following categories: teaching hospital, teaching and educational support, research, public service, institutional support, facilities and infrastructure, and scholarships and fellowships.

The colleges who teach and train animal health care providers and assistants in Texas made a total economic contribution of \$140 million. An additional 510 jobs were linked to academia with \$59 million in total wages.

Table 2: Estimated Total Economic Contribution of Academic Veterinary Medicine in Texas

	Direct	Indirect	Induced	Total
Output	\$68,383,155*	\$25,873,843	\$45,922,933	\$140,179,931
Employment	1,126	162	348	1,635
Labor Income	\$36,375,666	\$8,117,449	\$14,798,543	\$59,291,658
Value Added	\$38,965,014	\$14,647,949	\$27,283,331	\$80,896,294

\*Direct output is equivalent to CVM expenditures

### Government Veterinarians

According to FedScope, an online database that stores information on government employees, 287 veterinarians worked for federal agencies in 2011 in Texas with total salaries of \$19 million (Table 3). Additionally, 36 veterinarians worked for state agencies and were paid a total of \$3.8 million.

Table 3: Government Veterinarian Employment in Texas

Air Force	1
USDA: Ag. Research Service	1
USDA: APHIS	171
USDA: FSIS	81
Army	28
Dept. of Health & Human Services	4
Dept. of Homeland Security	1
AgriLife Extension Service	2
TX Veterinary Medical Diagnostic Lab	21
TX Animal Health Commission	13
Total	323

Table 4: Estimated Total Economic Contribution of Government Veterinarians in Texas

	Direct	Indirect**	Induced	Total
Output	\$26,698,964	\$0	\$27,603,183	\$54,302,148
Employment	323	0	208	531
Labor Income	\$26,698,964*	\$0	\$8,893,895	\$35,592,859
Value Added	\$26,698,964	\$0	\$16,383,596	\$43,082,561

\*Adjusted by factor of 1.1623 to include benefits

\*\*When assessing impacts of the spending of employee income, there are no indirect effects as all effects are induced.

### Private Industry Veterinarians

Veterinarians are also employed in private industries, such as companies that make and sell veterinary pharmaceuticals or medical devices. Other companies hire veterinarians to work in their animal research and development laboratories. Still other veterinarians work on their own to sell their products or services to private veterinary practices.

Based on American Veterinary Medical Association (AVMA) records, 99 veterinarians described themselves as employees in various areas of private industry (Table 5). Since many of these veterinarians were highly skilled, the authors used the upper 90th percentile range of available wage data from the Bureau of Labor Statistics to calculate total labor income for private industry veterinarians. The average estimated salary for these veterinarians was \$131,570 per year.

Table 5: Estimated Private Industry Veterinary Employment in Texas

Agriculture/Livestock Production	12
Business/Consulting Services	22
Feeds/Nutrition	8
Laboratory	16
Pharmaceutical/Biological	41
Total	99

Table 6: Estimated Total Economic Contribution of Private Industry Veterinarians in Texas

	Direct	Indirect**	Induced	Total
Output	\$15,139,867	\$0	\$15,652,612	\$30,792,479
Employment	99	0	118	217
Labor Income	\$15,139,867*	\$0	\$5,043,356	\$20,183,223
Value Added	\$15,139,867	\$0	\$9,290,453	\$24,430,320

## TOTAL ECONOMIC CONTRIBUTION

The total economic contribution of the veterinary medicine industry in the state of Texas in 2011 was an estimated \$3.85 billion (Table 7). The industry supported more than 44,000 jobs with labor income estimated at \$1.67 billion annually. These jobs represented direct, indirect, and induced employment in the economy supported by the four sectors of the veterinary medicine industry in Texas.

Table 7: Estimate Total Economic Contribution of the Veterinary Medical Industry in Texas

	Output	Employment	Labor Income	Value Added
Private Practice	\$3,627,870,380	42,327	\$1,534,473,939	\$2,093,604,017
Academia	\$140,179,931	1635	\$59,291,658	\$80,896,294
Government	\$54,302,148	531	\$35,592,859	\$43,082,561
Private Industry	\$30,792,479	217	\$20,183,223	\$24,430,320
Total	\$3,853,144,938	44,711	\$1,649,541,678	\$2,242,013,191

Total Output Effects = Texas sales revenue

Total Value Added Effects = state-wide economic impact from employment of all resources of production (land, labor, capital, management)

### *The Texas State Board of Veterinary Medical Examiners*

Since its inception in 1911, the Texas State Board of Veterinary Medical Examiners (TBVME) has grown and evolved to fit the changing needs of the public as well as the veterinary community. In order to continue to meet these needs, the Board continues to seek innovative, cost effective ways to regulate the field and provide the best possible product and superior customer service to the public, veterinarians, equine dental providers and veterinary technicians. Although TBVME provides direct services to the licensees, the agency's primary responsibility is to protect the public by assuring professional standards and accountability of those who care for Texas' animals.

In the following pages, we will give an external/internal assessment of the Board. As a part of that process, we will also detail the agency's future plans and current needs. The Board can fund these plans and meet its needs through a minor increase in fees collected from our licensees. It is our belief that both the public and our licensee base would benefit from the added or enhanced services.

## V. External/Internal Assessment

### A. Overview of Agency Scope and Functions

#### a. Statutory Basis

The Texas State Board of Veterinary Medical Examiners (the Board) was created in 1911 and is governed by the Veterinary Licensing Act, Chapter 801, Occupations Code. Agency practice, procedure and rulemaking is governed by Government Code, Chapter 2001, the Administrative Procedure Act. During the 82<sup>nd</sup> legislative session in 2011, a new law was passed allowing the licensing of qualified persons who perform equine dentistry but are not a Texas-licensed veterinarian. Subsequently, during the 83<sup>rd</sup> legislative session in 2013, new law was passed allowing qualified persons to apply for a veterinary technician license to attain the LVT (Licensed Veterinary Technician) status.

#### b. Historical Perspective

The Texas State Board of Veterinary Medical Examiners (the Board) was created in 1911. Until 1956, the Board's activities were operated by Board members who volunteered their time. That year the Board was funded to operate an office with paid staff. Since 1911, the Board has issued 13,266 licenses to veterinarians. There are currently 8,157 veterinarians that hold a Texas license, 48 equine dental providers (EDP) and 189 veterinary technicians (LVT).

**c. Affected Populations**

In a sense, all Texans are affected by the practice of veterinary medicine. Veterinarians have a direct impact on food animal production, one of the major economic segments of the Texas economy. They assist producers in disease prevention, nutrition programs, and general herd/flock management. Veterinarians also have a key role in protecting the public from zoonotic diseases, those transferable from animals to humans. More specifically, all animal owners are affected, whether they own food production animals (cattle, swine, chickens, etc.) or companion animals. Virtually all will need veterinary services at some point. Equids require regular dental work to avoid malocclusion and even death, if the animal cannot eat properly. Invasive dental procedures must be provided by a Texas-licensed veterinarian. Non-invasive dental work may be performed by a Texas-licensed Equine Dental Provider under the general supervision by a veterinarian, or a non-licensed veterinary-employee under the direct supervision by the veterinarian. A census last taken in 2009 by the American Horse Council shows that Texas is the home of over 900,000 horses, not to mention other equids such as donkeys and mules.

**d. Agency Functions**

The Board's principal purpose is to ensure that the citizens of Texas have the services of veterinarians, equine dental providers, and licensed veterinary technicians who have demonstrated the ability to meet or exceed established minimum qualifications to enter practice in this state and to hold those licensees accountable to abide by the laws of the state and the rules of the Board. TBVME currently regulates approximately 8,157 veterinarians; 48 equine dental providers; and 189 licensed veterinary technicians, with the expectation that another 500-700 licensed veterinary technicians will seek licensure by the end of the current fiscal year. Although TBVME provides direct services to these licensees, the agency's primary responsibility is to protect the public by assuring professional standards and accountability of those who provide veterinary and equine dental services to Texas citizens. The agency is organized by function, rather than by license type, to increase the efficiency of operations. The agency's responsibilities include:

*Executive Leadership*

The executive director of the agency is appointed by the Texas Board of Veterinary Medical Examiners and serves at the pleasure of the board as the chief executive and administrative officer of the agency. She is required to administer and enforce the Veterinary Licensing Act under the supervision and at the direction of the board. The executive director participates in the Board's formulation of its mission, strategic plan, rules and policies and is required to plan, organize, coordinate, direct and evaluate the programs, activities and staff of the agency.

In addition to the agency's executive office, there are four other departments in the agency. Each department head reports directly to the executive director and the department's functions are described in detail below.

*Licensure Division*

The Licensing and Examination division is charged with ensuring that only those persons who have demonstrated the ability to meet or exceed the minimum qualifications required to be a licensed veterinarian, licensed veterinary technician or equine dental provider in the state of Texas, enter the practice and provide veterinary and equine dental services to Texas' citizens. As of September 1, 2011, the agency has statutory authority to license individuals who perform dentistry on equines, as Equine Dental Providers (EDP) and as of September 1, 2013, the agency has statutory authority to license veterinary technicians that may earn a license as a Licensed Veterinary Technician (LVT).

This division provides the following services: Application Processing, Consumer Services, and Licensing/Examinations.

Application Processing and Consumer Services has three functions: 1) assisting applicants in pre-licensure; 2) registration of licenses; and 3) providing information to consumers. Staff review



applications for completeness and communicate with the individual about missing documentation and the status of their applications. The department is responsible for answering questions related to all aspects of licensing. In addition, the department is responsible for all maintenance requirements on licenses, such as issuance of annual renewal certificates, and cancellation of licenses when the required fees are not paid or the forms are not filed.

Licensing/Examinations includes administering exams and licenses for veterinarians, licensed veterinary technicians and equine dental providers. Licensure analysts examine the application content and documentation to determine whether applicants meet requirements of the statute and rules. Analysts may request additional documentation from applicants. For example, licensure analysts often must review documentation from foreign countries to determine whether the applicants meet statutory requirements. The department also creates and administers exams necessary for the various types of licenses.

#### *Enforcement Division*

The enforcement program is designed to protect consumers of veterinary services and ensure veterinarians, licensed veterinary technicians, and equine dental providers comply with the Veterinary Licensing Act and the Rules of Professional Conduct through the investigation of complaints and compliance inspections, as well as the investigation of the unlicensed practice of veterinary medicine.

Approximately one half of the agency's staff resources are devoted to the investigation and resolution of complaints from the public about the professional conduct of veterinarians. The Board has a range of disciplinary authority. Under certain circumstances, it can refuse to examine applicants, suspend, probate suspension, and revoke licenses; issue administrative and civil penalties; and hold settlement conferences concerning alleged violations of the Veterinary Licensing Act and Board Rules. Timely, competently performed complaint investigations are perhaps the most direct consumer services the Board staff performs. Both the complainant and the responding licensee are relieved when a complaint is resolved, often regardless of the outcome. This is particularly true if both believe that justice was served. The goal for the average number of days to resolve complaints is 180 days. We continue to believe that this is a worthy goal to achieve.

TBVME has four functions that comprise the enforcement division: Enforcement Support, Investigations, Litigation, and Compliance.

Enforcement Support staff are located at the headquarters/Austin office and receive and process complaints and provide support for investigative work.

Investigative staff complete an initial review of complaints to determine if an investigation should be opened. Following an investigation, for medical cases, the investigative file is sent to two veterinary Board members for their review of a possible violation of standard of care. For non-standard of care cases, enforcement staff reviews the case.

Another critical dimension to the regulatory role is conducting compliance inspections. The Board's compliance inspection program is a valuable tool not only to ensure standards are met, but also to educate licensees and reduce violations and subsequent complaints. Fiscal Year 2013 ended with 605 on-site inspections and 286 by mail.

#### *General Counsel's Office*

The General Counsel's office includes one staff attorney and one legal assistant. The General Counsel's office represents the agency in legal matters and provides legal counsel and support to the Board members and agency staff.

Specifically, the department works with the Enforcement Department to complete disciplinary matters. It provides legal counsel to the Enforcement and Licensure Departments to assist with the review of

cases and licensing applications. The department prosecutes cases against licensees, license applicants, and unlicensed persons, who have violated the Texas Veterinarian Licensing Act or related Board Rules. Attorneys may resolve cases informally after such cases are reviewed at either a Staff Conference and/or an Informal Conference (“IC”) through proposed agreed orders or proposed cease and desist orders. The attorneys represent the Board during ICs and during Temporary Suspension proceedings. This department further initiates and prosecutes formal complaints on behalf of the agency through the formal adjudicative process at the State Office of Administrative Hearings (“SOAH”), including conducting legal research and preparing all legal pleadings.

The General Counsel’s office provides support to the Office of the Attorney General in administrative appeals and all matters involving the support and defense of the law and Board Rules and policies.

The General Counsel’s office is responsible for agency rule and policy making including legal support for new rule initiatives, amendments, and repeals to Board rules. The department provides legal counsel for drafting bills and amendments for legislative consideration; works with and counsels the Board’s Public Information Officer to properly respond to open record requests; provides counsel to the Board and agency staff regarding the legal interpretation of statutes, rules, and policies; and conducts legal research.

The General Counsel’s office also regularly interacts with the public concerning questions on legal matters, including the Texas Veterinary Licensing Act, the Board’s Rules, and other applicable statutes and rules governing state government functions, such as the Texas Public Information Act and Open Meetings Act.

This department also advises agency staff regarding personnel and contract matters.

#### *Finance*

The Finance division performs administrative and support functions for the agency including purchasing, accounts payable, accounts receivable, travel reimbursement, payroll, property management, and database management.

#### *Peer Assistance*

The Peer Assistance Program, is a confidential, therapeutic program, authorized by Chapter 467 of the Health and Safety Code, assisting veterinarians and veterinary students who are impaired by chemical dependency and protecting the public welfare by directing professionals to seek evaluation or treatment and monitoring for conditions which have the potential to compromise their ability to practice medicine with reasonable skill and safety. Participation may be voluntary or required by a Board order. The program is administered through the Professional Recovery Network (PRN), and is approved by the Texas Commission on Alcohol and Drug Abuse (TCADA). During the 80<sup>th</sup> Legislative session the Board requested to change the way the program is funded. The Board recommended that the program be funded 100% by a surcharge (\$5) on each license renewal. The 80<sup>th</sup> Legislature approved this funding change. The Board receives the authority under the Health and Safety Code, Chapter 467.004, to add a surcharge of not more than (\$10) to each license renewal to fund an approved peer assistance program.

#### **e. Who We Are In The Public’s Perspective**

The TBVME is the primary agency responsible for ensuring the public’s welfare with regards to veterinary medicine, persons who are Equine Dental Providers, and persons who hold a license as a Licensed Veterinary Technician. Texans who are animal owners and livestock production owners are the potential public who will come in contact with the Board. Veterinarians, veterinarian technicians, and equine dental providers are required to post information about the Board and contact information in their offices. This ensures that the licensees’ clientele are aware of the Board and their right to file a complaint. The complaint form is available on the agency’s website along with brochures that outline the complaint process.

## **B. Organizational Aspects**

### **a. Size and Composition of Workforce**

The Board has eighteen positions; five positions are classified as official/administrator, six as professional, and seven as administrative support. The workforce is currently 22% male and 78% female.

### **b. Organizational Structure and Process**

The agency is governed by a Board of directors that consists of nine members who are appointed by the Governor of Texas. The make-up of the Board is six veterinarians and three public members, all of whom serve a term of six years, with staggered appointments being made every two years. The Board meets at least three times a year, usually in February, June and October, with special meetings called as needed. Each fall meeting, the Board elects a Vice-President and Secretary and appoints members to three standing committees – the Executive Disciplinary Committee, Rules Committee and the Enforcement Committee. Special committees are created as needed. The Governor appoints the Board President.

The functions of the Board are to:

- Guide the short term and long term direction of the agency and its policies;
- Hire the Executive Director and supervise the Executive Director's administration of the agency;
- Formulate the policy objectives of the agency;
- Approve the agency's operating budget and requests for legislative appropriations;
- Set fees to cover the cost of administering the Veterinary Licensing Act;
- Adopt rules as necessary to implement the statute; and
- Impose disciplinary actions against those licensees and lay persons who violate the Veterinary Licensing Act and rules promulgated by the Board.

TBVME has four divisions organized along functional lines: Executive, Enforcement, Licensing and Examination, and Fiscal Operations.

*Executive* – The Executive division consists of the Executive Director, General Counsel, Staff Attorney, Executive Assistant/Director of Human Resources, Legal Secretary, and Receptionist. This division is responsible for such functions as:

- Administration of the agency's programs, including licensing and examination and enforcement;
- Monitoring the agency's budget;
- Human Resources;
- Records Management;
- Risk Management;
- Disaster Recovery;
- Customer Service;
- Representing the agency before the Legislature, and with other private and governmental entities.
- Representing the Board and agency in all legal matters, including the formulation of disciplinary actions and administrative rules;
- Open Records; and
- Administering informal conferences.

*Enforcement* – The Enforcement division consists of the Director of Enforcement, 4 Investigators and an Administrative Assistant. The key functions of the division are:

- Investigating and resolving complaints filed by the public and veterinarians;
- Conducting compliance inspections and special investigations; and
- Educating both veterinarians and the public regarding state law and Board rules that govern the practice of veterinary medicine.

*Licensing and Examination* – The Licensing and Examination division consists of a Director, and three licensing specialists. Some of this division’s key functions include the administration of the agency’s licensing and examination program through the:

- Review and processing of applications for licensure for veterinarians, equine dental providers and veterinary technicians;
- Administration of all licensing examinations;
- Providing notice of and processing of all license renewals;
- Overseeing the efficient and effective operation of the office computer systems and equipment, including the agency’s website and licensing database (this function is performed in conjunction with the agency’s CFO, IT personnel and contract programmer);
- Reviewing and obtaining approval of CE programs;
- Making recommendations to improve the licensing and examination programs; and
- Analyzing and developing action plans to improve or initiate programs.

*Fiscal* – The Fiscal division consists of the Chief Fiscal Officer and an Administrative Assistant. Key functions of this division include:

- Preparing and proposing agency budgets;
- Accounting;
- Budgeting;
- Handling cash receipts and payment processing;
- Purchasing and contract administration;
- Managing the Historically Underutilized Business program; and
- Managing fixed assets.

**c. Geographical Location of Agency**

The Texas Board of Veterinary Medical Examiners is headquartered in the Hobby Building in Austin, along with the other health regulatory and licensing agencies that compose the Health Professions Council. Co-location of these agencies facilitates sharing of services and information between them. TBVME has one employee that works remotely utilizing the agency’s electronic document system and web-based database.

**Workforce Issues**

Agency staff at all levels have an extremely high commitment to the mission of the agency, understand how their job contributes to fulfillment of the mission, and believe that the work they do is important. However, increases in workload, constrained resources, and an environment of continuous process improvement create stress for staff at all levels. Service demands require that every FTE be fully competent and productive. Individuals who are unable to meet performance expectations soon separate from the agency.

**d. Service Population**

The population served by the Board is statewide. Primary contacts between the agency and the public relate to the licensing status of all licensees, including veterinarians, equine dental providers and licensed veterinary technicians or to file or follow up on a complaint. The Board offers a toll-free complaint line, provided through the Health Professions Council, to ensure easy public access to the complaint process. A complaint form is also found on the web site and can be downloaded by the consumer. General information regarding the complaint process is also given on the web site. This is also the case for various license application forms and information pertaining to licensing. Licensees also frequently contact the Board to seek clarification about Board rules and those of other regulatory bodies that affect their profession.

**e. Human Resource Strengths and Weaknesses**

The agency is fortunate to have staff that offer many strengths, including a high level of skill, tenure, dedication to the agency’s mission and the ability to manage an ever-changing world. The agency has been lucky to retain a few key employees who have been with the agency for many years. This has

helped to provide a needed level of agency experience. However, because the agency is small, only 18 FTE staff members, and with a currently limited budget, the agency has struggled to retain employees. The agency budget does not allow for salary levels for experienced employees. There is no budget for needed equity increases. Tenured and new staff alike has shown an amazing ability to adapt to changes and difficult situations brought on by an increased workload.

Weaknesses can be noted in the agency's ability to provide employee incentives. With only a few exceptions, most of the staff that have left the agency in the last five years have done so to gain better pay and more opportunities for advancement. As with most agencies, the Board's lack of available funding for employee incentives and training opportunities has had a negative impact on its ability to attract and retain competent and qualified staff.

**f. Capital Asset Strengths and Weaknesses**

The agency sees no need for any capital improvement during the 2016-2020 period that would exceed the \$25,000 threshold. No plans exist for capital improvement projects meeting the criteria established for submission of a Statewide Capital Plan to the Bond Review Board. The agency currently has two areas of concern with regard to capital assets.

**g. Agency Use of HUBs**

It is the intent of the Legislature that each state agency makes a good faith effort to increase purchasing and contract awards to historically underutilized business (HUBs). Since fiscal year 1996, the percentage of total purchases expended with HUBs has ranged from 8.1% to 50.5%. The average percentage over that period of time has been 25.5%. In FY13, the agency percentage of total purchases expended with HUBs was 50%. The Board will continue to fulfill internal policies governing purchases of goods and services that will encourage meaningful and substantive inclusion of HUBs. In addition, the Board will continue to follow purchasing procedures to ensure a proportionately high use of HUBs that are qualified to offer such goods and services. Progress in these areas is as follows:

Texas Administrative Code §20.13(b) requires that each state agency make a good faith effort to award procurement opportunities to businesses certified as historically underutilized. The goal of this good faith effort is to ensure that a fair share of state business is awarded to Historically Underutilized Businesses (HUBs). To be certified as a HUB, a business must:

- be at least 51% owned by an Asian Pacific American, Black American, Hispanic American, Native American and/or American woman,
- maintain its principal place of business in Texas; and
- have an owner residing in Texas with a proportionate interest that actively participates in the control, operations and management of the entity's affairs.

*Use of Historically Underutilized Businesses*

The Historically Underutilized Business (HUB) program is governed by the Texas Government Code, Title 10, Subtitle D, Chapter 2161. The purpose of the program is to increase contracting opportunities with the State of Texas for minority and women-owned businesses.

*HUB Participation*

The Texas Board of Veterinary Medical Examiners (TBVME) is continuously developing strategies to increase the agency's HUB participation and to ensure that the agency remains in compliance with all of the laws and rules established for the HUB program.

*HUB Outreach*

The agency focuses on the manner in which awards are distributed among the various ethnic HUB groups. TBVME's goal is to ensure that contract awards are distributed among all HUB groups and not concentrated within just one or two ethnic HUB groups.

*HUB Goal*

To make a good faith effort to award procurement opportunities to businesses certified as historically underutilized.

*HUB Objective*

To make a good faith effort to increase utilization of historically underutilized businesses. TBVME strives to meet the statewide HUB goals as established by the Comptroller of Public Accounts (CPA) and has implemented policies to ensure that contracts are awarded to HUB vendors who provide the best value and are the most cost-efficient to the agency. These goals include 23.6% for professional services contracts, 24.6% for all other service contracts and 21% for commodities contracts. TBVME exceeded its goal of purchasing from Historically Underutilized business (HUBs). TBVME is continually striving to increase procurements with HUB vendors and will continue to explore new opportunities whenever possible.

*HUB Strategy*

In an effort to meet the agency's goals and objectives, TBVME has established strategies that include:

- complying with HUB planning and reporting requirements;
- utilizing the CPA's Centralized Master Bidders List (CMBL) and HUB search to ensure that a good faith effort is made to increase the award of goods and services contracts to HUBs;
- adhering to the HUB purchasing procedures and requirements established by the CPA's Texas Procurement and Support Services division;
- utilizing HUB resellers from the Department of Information Resources' contracts as often as possible; and
- promoting historically underutilized businesses in the competitive bid process on all goods and services

**h. Key Organizational events and areas of change, and the impact on the agency.**

The TBVME may face many changes over the coming fiscal years that would impact the agency's organization.

*Sharing of Administrative Functions with Other Health Professions Council (HPC) Members.*

HPC members continue to review options available for sharing administrative functions between the smaller Boards. The Board may realize some efficiencies and savings as a result of this effort.

*Consolidation and Outsourcing of Human Resources Functions*

During the 78<sup>th</sup> legislative session, the Council on Competitive Government was charged with conducting a feasibility study to determine the feasibility of consolidating and outsourcing human resources functions within small agencies. The HPC is currently assisting member agencies with some HR functions, but not all. Currently, the Executive Assistant is the agency's Director of Human Resources in addition to having numerous other responsibilities. The HPC assists with job postings and other ministered functions, but the agency still needs and utilizes the Executive Assistant for most HR Functions.

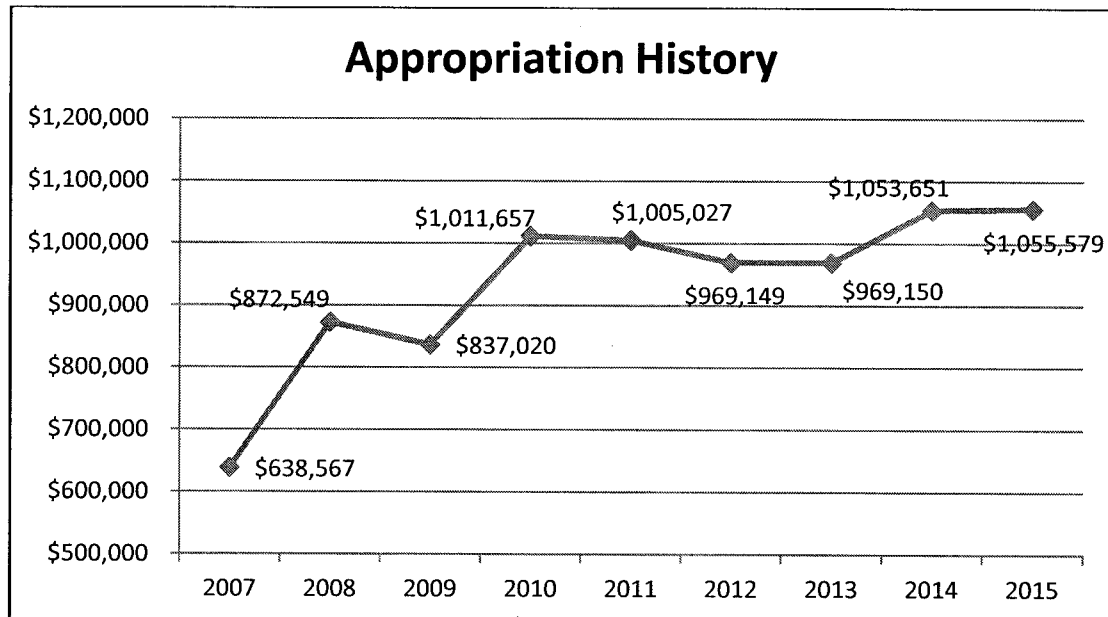
**i. Use and Anticipated Use of Consultants**

The agency currently does not utilize any consultants and does not anticipate the need for any over the next five years.

## C. Fiscal Aspects

### a. Budget Overview

The agency's appropriation for the FY 14-15 biennium totals \$2,109,230, approximately \$1.05 million per year.



### b. Method of Finance

The Board's main source of revenue comes from fees derived from license renewals, examinations, and issuance of new licenses. All receipts are deposited into the General Revenue Fund through the Treasury Division of the Comptroller of Public Accounts and are expended in accordance with the General Appropriations Act. Of total revenues collected in FY2013, 51.21% came from licensure fees, 46.00% in professional taxes on active licenses and .14% from miscellaneous items such as mailing lists, labels and open records requests and 2.65% from administrative penalties. In FY2013, the total revenue collected by the Board was \$2,941,722.

### c. Capital and/or Leased Needs

The Board sees no need for any capital improvement during the 2015-2019 period that would exceed the \$25,000 threshold. No plans exist for any capital improvement projects meeting the criteria established for submission of a Statewide Capital Plan for the Bond Review Board.

### d. Degree To Which Budget Meets Current And Expected Demands

Since the agency has joined with the Health Professions Council to consolidate information resources, it has become obvious that there is a deficit in the ability of the agency's staff to fulfill the duties of an information resource manager. No one is currently employed with the agency that has the skills to maintain the computers, networks, servers and database management required for the agency to conduct daily business. The current budget does not allow for the hiring of another employee to take over these duties nor does it have the room to hire a contractor to manage this information. Our budget is small and well appropriated for the needs of the agency to conduct daily business of licensing veterinarians, veterinarian technicians and equine dental providers. However the other requirements of maintaining the information resources structure and needs is sorely lacking. The licensure base is growing and the need to have more efficient technology to maintain a minimal staff plays an important role in the agency maintaining continued successful performance measures.

## **D. Service Population Demographics**

The growth rate for the number of persons licensed is expected to remain between 2.6 and 3.0% annually. The number of newly graduated veterinarians is expected to remain level. The Texas A & M University, College of Veterinary Medicine (CVM) projects that enrollment in their program will remain at around 135 new admissions per year over the next few years. Texas A&M University received funding to build new veterinary teaching facilities that will allow a larger number of students to enroll at CVM within the next 5 years. Graduates will increase, however, not all new Texas graduates seek licensure in this state. Due to new laws passed during the 82<sup>nd</sup> and 83<sup>rd</sup> legislative session, 2 new groups of professionals are eligible for licensing if they meet basic qualifications. The Equine Dental Providers are a small group of professionals, and the agency currently services 48 licensees. Based on the veterinary association's estimates, the group of eligible veterinary technicians is a fairly large population and there is a potential of licensing about 1,000 veterinary technicians by August 31, 2014 through the 'grandfathering' provision in the law. It is estimated that approximately 200 graduates of AVMA's accredited veterinary technology program will seek licensing in Texas. There is a potential of significant growth in the licensing arena.

The veterinary profession as a whole is becoming more mobile. Veterinarians are employable in almost any community. More veterinarians are being employed by national/regional corporations that have practices in multiple states, and may be transferred from state to state. Current laws, rules and examination timetables enable new graduates, as well as out-of-state practitioners, to obtain a license to practice veterinary medicine in a shorter period of time. Existing fee structures allow for an inactive license status, which helps practitioners located out-of-state to maintain their Texas license.

Veterinary medicine is an ever-changing field. With constant advances in medical technology and changes in treatment protocols, the demands placed on veterinarians are increasing dramatically. In addition, individuals are beginning to see themselves as guardians of animals instead of owners, placing more emphasis on the emotional attachment to animals and opening the door to more litigation and more complaints. As a result of these changes, the number of complaints received by the Board has increased. In Fiscal Year 2000, the agency received two hundred twenty-eight (228) complaints. In Fiscal Year 2005 the agency received two hundred ninety (290) complaints. The agency received 463 complaints in FY 2013.

## **E. Technological Developments**

### **Part 1: Technology Assessment Summary**

#### **1. Network and Servers**

The agency utilizes a modern firewall router to provision perimeter network security for the Local Area Network (LAN). The agency also provides Virtual Private Network (VPN) access for a select group of remote employees, allowing them to access network assets securely. In 2008, a secure and encrypted wireless network was deployed for use by agency staff within the physical limits of the main office. For all uses, authentication and access to network resources is made possible by an Active Directory installation, which is managed by a Windows 2008 Domain Controller. Multiple servers, printers, and other network services are managed through this Active Directory infrastructure. By deploying the network and servers mentioned here, the agency is able to receive the benefits of an efficient and secure network computing environment, which is also accessible to remote workers.

Barracuda- Through the IT sharing program called ITSS with the Health Professions Council (HPC), the agency shares the use of a Barracuda Web Application Firewall. The network device is a perimeter security appliance that protects the agency's web enabled assets from online malicious attacks. The device receives ongoing updates and signature files from the vendor.

FortiAnalyzer- Also via HPC, the agency participates in the use of the FortiAnalyzer management device. This network appliance is an Enterprise reporting tool that allows HPC IT staff to monitor and analyze all agency network traffic. This device is a centralized management node which allows HPC staff to monitor multiple networks simultaneously.



2. Shared IT Staff from the Health Professions Council (HPC)  
In FY 2003, the agency entered into an interagency contract with the HPC to obtain IT services and participate in the imaging system. This contract has been extended through the current year, as this arrangement has worked well for this agency. HPC provides shared IT staff that advises the agency on all issues related to technology. This shared staff advises on issues related to long term strategic planning, as well as immediate helpdesk support. Through this shared agreement, the agency is able to maintain its technology infrastructure without incurring the cost of full time staff.
3. The Agency's Sugar Database  
The 83<sup>rd</sup> Legislature Regular Session by contingent revenue in SB 1312 granted \$40,000 toward the revamping of the TexVets database, now referred to as the Agency's Database. The additional funds for the project removed the poorly designed unstable structure of the Sql database into a more stable Unix environment on a virtual server with an open source program called Sugar CRM hosting the database environment. The new database allows for easier access to information for reporting and maintaining data integrity.
5. Website  
The agency website is located on an HPC shared web server. It was migrated from the internal agency desktop system to one that receives regular backups and maintenance. It has been fully operational since FY 2003. Updates to the website are published regularly, and the agency has full control of content. The website satisfies all legislative requirements and includes the ability for the public to lookup publicly available information about our licensees and download various forms. Additionally, a new continuing education (CE) module implemented in FY2009 allows a Texas licensed practitioner to earn a limited number of CE hours, primarily in the areas of record keeping and practice management. Veterinarians who are required to retake the jurisprudence exam as part of disciplinary action may use the module accessible through our website. For a fee, the individual may take the exam on-line.

Website Redesign: HPC will host our site, along with other participating agency sites, on a shared server, and the ITSS technology staff will maintain all aspects of the web environment. Additionally, the new website will be hosted in a mirrored environment facilitated by a load balancing network device on the HPC network. The website will have increased ease of use by the public and additional functionality for the public.

**Statewide Technology Goal 1: Strengthen and Expand the Use of Enterprise Services and Infrastructure**

1.1 Enhance Capabilities of the Shared Infrastructure

- Data Center Infrastructure
- Communications Technology Infrastructure
- Statewide Portal Infrastructure

1.2 Leverage Shared Applications

- Enterprise Resource Planning (ERP)
- Email Messaging

1.3 Leverage the State's Purchasing Power

- Product and Services Portfolio Expansion

- 1.a Describe agency plans to strengthen and/or expand its capabilities through the initiatives described in Statewide Technology Goal 1.

The agency does not participate in the Austin datacenter.

- 1.b Describe agency plans to strengthen and/or expand its capabilities through other initiatives that leverage enterprise or multi-agency services and infrastructure, including managed services, shared applications, internal consolidation efforts, and procurement strategies.

Google Apps Enterprise- The agency migrated its enterprise messaging to Google Apps Enterprise and decommissioned use of Capnet email services. The Google services allow all agency users to participate in a collaborative messaging environment for the first time. Included with Google Apps is messaging (email), document collaboration, calendar sharing, and intranet site creation.

Virtual Servers – HPC has actively pursued the use of server virtualization to make better use of resources as well as scaling server needs across the many agency requests. TBVME has used a vendor to move the database to the virtual server environment and would like to have an employee that would be able to maintain and manage the information infrastructure for the agency, while maintaining the physical location of the servers and networks under the HPC umbrella. TBVME staff does not have the required skill sets to work with HPC on making full use of our virtual servers.

**Statewide Technology Goal 2: Secure and Safeguard Technology Assets and Information**

2.1 Align the State's Approach to Enterprise Security with other State and National Strategies

- State Enterprise Security Plan
- Vulnerability to Cyber Attacks
- Response and Recovery Capabilities

2.2 Integrate Identity Management, Credentialing, and Access Privileges

- Identity Management Services

- 2.a Provide an update on the agency's progress in implementing strategies to align with the *State Enterprise Security Plan*.

AT&T SETA- DIR has changed the NetForensics security assistance to AT&T's new SETA Program. This service allows the agency to send the syslog files from both the firewall and the router so that DIR can inspect and analyze all firewall traffic and all router traffic in and out of the agency. The agency receives a monthly report from DIR upon which HPC staff makes security recommendations if necessary.

FortiAnalyzer-The shared use of the FortiAnalyzer enables centralized log management of the agency's firewall and router. This tool gives staff the ability to respond to all network incidents and research any possible intrusions or suspicious activity.

Barracuda- Through the IT sharing program called ITSS with the Health Professions Council, the agency shares the use of a Barracuda Web Application Firewall. The network device is a perimeter security appliance that protects the agency's web enabled assets from online malicious attacks. The device receives ongoing updates and signature files from the vendor. Regular, unannounced penetration tests conducted by the Department of Information Resources have shown the firewall to be effective. Daily data backups are run by agency staff and maintained by HPC staff.

McAfee Enterprise and ePO- The agency continues to use McAfee node protection products to secure against malware at the network, server, and workstation levels. Also, ePO enables IT staff to remotely manage all aspects of this anti-malware software.

2.b Describe the agency's identity management strategies in place or planned.

The agency continues to use Windows identity management through the implementation of Active Directory. Custom Group Policies are in place to enhance security through the use of complex passwords, password expiration, and password rotation.

McAfee Endpoint Encryption- This tool was implemented in FY 2011 and has provided additional encryption security for all agency laptops. Endpoint encryption helps to minimize unauthorized access to agency devices.

**Statewide Technology Goal 3: Serve Citizens Anytime, Anywhere**

3.1 Expand and Enhance Access to Agency Services

- Multi-Channel Access
- Rural Broadband Expansion

3.2 Facilitate Open and Transparent Government

- Best Practices for Information Assets

3.a Describe the agency's plans to expand or enhance access to its services and promote citizen engagement through online services and emerging technologies.

The agency continues to provide access to agency information through the publication of its existing website. The website will be upgraded to a modern Content Management System in the coming months.

The agency continues to allow licensees to access agency data and services through its participation with Texas.gov.

The agency has created a Facebook page where it publishes notification of rule changes, as well as examination and meeting dates.

Google Apps Enterprise- Use of Google Sites for collaborating with Board members and key public members. A new Google site will be developed to share data using the Google cloud computing model.

3.b Describe initiatives planned or in process that will facilitate access to agency information and public data.

The agency continues to provide access to agency information through the publication of its existing website. The website will be upgraded to a modern Content Management System in the coming months.

The agency continues to allow licensees to access agency data and services through its participation with Texas.gov.

The agency will consider allowing more enhanced and detailed online license verification through its newly redesigned website.

**Statewide Technology Goal 4: Pursue Excellence and Foster Innovation Across the Enterprise**

- 4.1 Link Technology Solutions to Workplace Innovations
  - Workplace Productivity and Collaboration
- 4.2 Pursue Leading-Edge Strategies for Application Deployment
  - Cloud Computing
  - Specifications, Toolkits, and the Application Marketplace
  - Legacy Systems Modernization
- 4.3 Optimize Information Asset Management
  - Best Practices for Managing Digital Information
- 4.4 Promote the Use and Sharing of Information
  - Health Information Exchange
  - Statewide Communications Interoperability
  - Justice Information System Integration
  - Enterprise Geospatial Services

- 4.a Describe agency plans to implement or enhance workplace productivity and to leverage collaboration tools.

Google Apps Enterprise- The agency migrated its enterprise messaging to Google Apps Enterprise and decommissioned use of Capnet email services. The Google services allows all agency users to participate in a collaborative messaging environment for the first time. Included with Google Apps is messaging (email), document collaboration, calendar sharing, and intranet site creation.

Additionally, users can now access their agency resources- especially email and calendars- from remote locations using web enabled devices such as their agency-issued laptops and smart phones.

- 4.b Describe agency strategies to develop and deploy applications more efficiently (i.e., through Cloud Computing, Software as a Service, Application Toolkits, Legacy System Modernization).

Google Apps Enterprise- The Google suite of services is based on a cloud computing infrastructure and allows agency users to access collaboration tools from any internet enabled device.

The agency's database is hosted by Sugar CRM, this company has cloud based services available to the agency, if we were to move the database maintenance to this vendor. Pending the DIR research of cloud based hosting and the requirements for maintaining secure information are favorable, the agency would like to move this database to the cloud. The advantages to moving to the cloud with Sugar CRM actually hosting the database would reduce the cost of maintenance and upgrades because they would be included in the cost of the cloud service. The agency would not need to have a server dedicated to hosting the database, eliminating the need for licenses and upgrades for the server.

- 4.c Describe agency strategies to enhance information asset management practices. The agency continues to participate in a best practices data backup and disaster recovery plan by utilizing off-site storage services from the Texas Library and Archives Commission.

4.d Describe agency practices or plans to enhance the use and sharing of information with agency business partners.

The agency continues to work with the Health Professions Council to facilitate the sharing of information and data with any relevant external organizations

**Part 2: Technology Initiative Alignment**

Outlined below are the 2 initiatives comprise TBVME's technology initiatives aligned with the statewide technology priorities:

**Initiative #1 - Licensure System Maintenance and Cloud**

TECHNOLOGY INITIATIVE	RELATED AGENCY OBJECTIVE(S)	RELATED SSP STRATEGY / (IES)	CURRENT OR PLANNED	ANTICIPATED BENEFIT(S)	INNOVATION, BEST PRACTICE, BENCHMARKING
<p>The agency's automated information system in SQL has been updated to a Sugar CRM Unix Based system on a virtual server. It is based on a model of one type license; the rewrite update was enhanced to be able to store data and issue licenses for Veterinarians, Veterinary Technicians and Equine Dental Providers. As licensing/permitting of different professionals was added to the agency's responsibilities, the agency's database has been able to keep pace.</p> <p>Now that the basic structure and functionality of the database is in place, it is time to look at moving the database to a cloud based service. The agency does not employ anyone that knows the operating system of Unix leaving us with a need to maintain a contract for an outside vendor to do any changes, maintenance, or upgrades to the server or the database program. HPC does not provide any database support.</p>	<p>Objective The Licensure database maintenance and cloud services support the agency's Licensure and Enforcement objectives. The Licensure System maintains information about all licensees including personal information, license status, etc. Public inquiries about licensees use this system for its data.</p>	<ul style="list-style-type: none"> <li>• P1</li> <li>• P2</li> <li>• P3</li> <li>• P4</li> <li>• P5</li> <li>• P6</li> <li>• P7</li> <li>• P8</li> <li>• P9</li> <li>• P10</li> </ul>	<p>Planned</p>	<p>The cloud service will provide the agency with a server that will be maintained by the vendor, removing the burden of upgrades and replacement of server equipment. The maintenance contract will provide the agency with a database system that is up to date with legislative mandates, timely resolutions to data transfer issues, and quicker easier implementation of business process changes.</p>	<p>Innovation: The agency is utilizing additional shared services that leverage a single technological investment across several agencies.</p>

Initiative #2 – HPC Web development

TECHNOLOGY INITIATIVE	RELATED AGENCY OBJECTIVE(S)	RELATED SSP STRATEGY/ (IES)	CURRENT OR PLANNED	ANTICIPATED BENEFIT(S)	INNOVATION, BEST PRACTICE, BENCHMARKING
Utilize the HPC website development and hosting service. Implement HPC's Content Management System (CMS).	Objective C.1	1.1 1.2 1.3 2.1 2.2 3.1 3.2 4.1 4.2 4.4	Current	1. The CMS will allow agency staff to become content authors and therefore employ an efficient content development and publishing workflow.  2. Utilizing HPC's shared services will allow the agency's website to receive all of the management and upgrades that best practices suggest.	Innovation: The agency is utilizing additional shared services that leverage a single technological investment across several agencies.

**F. Agency Priority Issues**

**a. External**

**1. Unauthorized Practice Of Veterinary Medicine**

The Board is responsible for enforcing the Veterinary Licensing Act ("Act"). This responsibility includes jurisdiction over licensees and those who practice veterinary medicine without a license. The Act makes practicing without a license a Class A misdemeanor. Therefore, complaints regarding unlicensed practice are forwarded to local law enforcement authorities for resolution as well as investigated by Board staff. However, it is our experience that many law enforcement agencies are unfamiliar with the Texas Occupations Code and are reluctant to pursue these criminal cases, or they have resource limitations that prevent them from fully prosecuting these types of cases. As this is a matter of public safety, the Board will continue to work with law enforcement.

The enforcement staff has been involved with undercover operations with the assistance of local law enforcement officers. Two arrests resulted in FY 2011. Five arrests were made in FY 2012 with enforcement staff's physical participation in some cases and only advice in others. There is an increase in "practicing without a license" cases. Three factors seem to be contributing to the rise of such activities: border area violence, poor economic conditions in some areas, and utilization of Craigslist as an easy means to facilitate underground activities.

The staff has been unable to proceed with pursuing some criminal cases due to an inability to engage the assistance of local law enforcement. Peace officer status for our investigators would enable many of these cases to be pursued that are otherwise closed due to insufficient evidence or with a cease and desist order.

A violator is also subject to a civil penalty of \$1,000 for each day of violation. During the 2005 Legislative session, the Texas Legislature authorized the Board to issue cease and desist orders. However, the Board must still take these orders through the State Office of Administrative Hearings to have an enforceable order if the non-licensee refuses to voluntarily cease and desist.

## **2. Increased Number of Licensees**

During the 2011 Legislative session, the Texas Legislature authorized the Board to license and regulate Licensed Veterinary Technicians (“LVTs”) and Equine Dental Providers (“EDPs”). At the time of this report, the Board has licensed approximately 8,412 individuals, including approximately 188 LVTs and 48 EDPs. This is approximately 276 more licensees than the Board licensed for all of fiscal year 2013. The Board’s staff estimates that the Board will license approximately 500-800 additional LVTs and 200 veterinarians this fiscal year.

As the number of licensees increases, so does the number of complaints received by the agency. The Board staff will inspect and investigate complaints against these additional individuals. The Board and its staff have already spent time and resources addressing issues regarding LVT and EDP applications, including failure to report criminal activity and review of criminal activity reported.

The General Counsel’s office reviews applicants’ criminal histories and cases concerning applicants’ failures to report their criminal histories and counsel Board and Board staff accordingly. Such matters may be resolved through informal settlements after Staff Conference and/or Informal Conference.

## **b. Internal**

### **1. Litigation Cases**

The General Counsel’s office initiates and prosecutes complaints on behalf of the Board. SOAH provides independent Administrative Law Judges to conduct hearings in cases referred by over 60 state agencies. The Board filed 8 cases in FY 2012, and 12 cases in FY 2013.

The General Counsel’s office consistently has a backlog of cases awaiting Informal Conference and/or filing at SOAH. As the number of licensees increases, the amount of legal matters at every level increases. The General Counsel’s office provides counsel to the Board and Board staff for Staff Conferences, Informal Conferences, and SOAH proceedings, in addition to providing support to the Office of the Attorney General in all other Board litigation matters. SOAH proceedings often require a court reporter and expert witnesses at the expense of the Board, including potentially the travel and lodging expense of the expert witness.

The General Counsel’s office has seen an increase in the number of cases being filed in County District Court and the overall complexity of the cases. These filings include both cases filed for judicial review of SOAH proceedings and cases filed prior to reaching SOAH. The General Counsel’s office spends a tremendous amount of time and resources on these cases working with the Office of the Attorney General in furtherance of the Board’s defense.

Finally, due to the increased litigation, the need and desire to reduce the case resolution time, and the overall backlog, the Board needs additional funds for salary levels to retain existing staff and effectively litigate cases. This department will continue to make tremendous efforts to identify and act on all pending cases awaiting adjudication and to constantly evaluate processes and procedures to achieve the shortest resolution time possible all the while upholding the integrity of the adjudication process.

## 2. Enforcement Issues

### (a) *Commissioned Peace Officers*

The Board will again seek to obtain Peace Officer Status authority for its investigators. As the primary protector of the public's welfare with regard to veterinary and equine dental provider services, the Board must be able to function in the arena of criminal justice agencies.

In recent years, the Board has faced situations in which its ability to protect the public has been compromised by the inability to communicate with and function as peace officers.

### (b) *Controlled Substances/Dangerous Drugs*

Veterinarians maintain inventories of controlled substances within their practices. This situation has led to instances of drug abuse and/or diversion by veterinarians. The Board has seen a significant increase in this area. The Board has found that when a criminal justice entity becomes involved in the investigation of these crimes, in most cases the Board does not have access to information necessary to allow for disciplinary action against the perpetrator's license, including summary suspensions, until there is a conviction. This situation allows the individual to continue to practice while under criminal investigation, even in instances where the public would be at risk.

### (c) *Limited access to criminal justice agency information*

Access to information held by criminal justice agencies is generally restricted to other criminal justice agencies and peace officers. Because the Board cannot access the evidence and information, it may not take action against a licensee until there is a final conviction and these individuals are still considered "in good standing" with the Board and may continue to practice.

### (d) *Limited ability to share information with federal law enforcement entities*

The Board currently does not have the authority to share information regarding complaints with federal law enforcement entities. While the Board may have information that would assist federal law enforcement, the information, based on the Veterinary License Act, is considered confidential.

Allowing the Board to have its investigators as peace officers would provide the Board with the tools necessary to share the information with other law enforcement agencies to better protect the public.

## 3. Travel

### (a) *On-site Compliance Inspections*

On-site compliance inspections serve to educate veterinarians about the laws and rules that govern the practice of veterinary medicine. These inspections allow veterinarians and their staff direct, face-to-face access to Board investigators, who can answer questions and give guidance in regard to the veterinarian's responsibility in meeting the requirements of the Veterinary Licensing Act and the Rules of Professional Conduct.

Unlike most medical professionals, veterinarians can purchase and maintain controlled substances and dangerous drugs within their practice. An important part of the compliance inspection is ensuring that these drugs are properly secured, maintained, and accounted for. The appropriation of travel funds will enable the agency to perform on-site compliance inspections and meet these important enforcement functions. The Board will request continuation of this appropriation.

### (b) *Special Investigations*

Occasionally, investigations are of such significance that they may require additional resources, time and travel funds. These "special investigations" result from an act or series of acts that have the potential of causing great harm to the public. These cases generally fall into the category of alcohol and drug abuse. The veterinarian may be suffering from alcohol



intoxication; self-administering controlled substances from their own pharmacy, or may even be diverting these drugs. The harm, from our perspective, is that this same impaired veterinarian may be treating the public's animals, including food source animals.

(c) *Board Members*

Due to a restricted travel budget board meetings are currently held only 3 times a year. To improve performance measure targeted completion times, it would be advantageous for the Agency to have 1 board meeting per quarter. Additionally, there is an increase in travel expenses for board members due to travel via airlines. It is more economical to reimburse travel on an airline than it would be to reimburse mileage on a personally owned vehicle, however, the further a board member lives from Austin the more it costs to reimburse that member for travel.

4. **Technology**

(a) *Replacement of Select Hardware.*

Due to limited funds, the agency replaces PCs, printers and servers only as necessary. We will seek funding for software, PC, printer upgrades, and a new server during the 84<sup>th</sup> Legislative session.

(b) *Software Upgrades for Agency Server*

To effectively continue communication with those we serve, including members of the profession, it is imperative that the agency is able to upgrade software for the agency's server architecture. The server is also used for online veterinary license renewal and communication and file exchange between the vendor agency (NIC USA) and the comptroller's office. Continuous security upgrades are necessary to prevent data corruption, unauthorized access and generally meet the statutory requirements set out in the Texas Administrative Code, Title 1, Part 10, Chapter 206, Subchapter B, which discusses, among other things, security policies and web site accessibility. User-friendly software upgrades encourage the use of the web site and participation in the online renewal system. Funding will be sought during the 84<sup>th</sup> Legislative session.

5. **Agency Publication**

The Board produces the *Board Notes* three times each year. The material included in the publication is intended to provide information to licensees and assist them in remaining up-to-date with regard to the laws and rules that impact their licenses. The publication is provided in electronic format to those individuals who provide the Board with an email address. Licensees may also download the publication from the agency's website. The Board sought input from our licensees through the 2014 Customer Service Survey on their preference for format.

<i>Preferred Format of Board Notes</i>		
Paper	Email	Download from Website
18%	74%	8%

6. **Agency Workforce**

(a) *Funding for Employee Equity Salary Adjustments*

The legislature empowers the agency to provide equity salary increases to maintain competitive pay with other agencies. However, the current appropriated budget does not allow the agency to retain qualified personnel. The employee starts to work here, gets trained and leaves for another agency. For example the average turnover rate for the staff attorney position is approximately one year.

(b) *Staff Development*

In order to maintain a well-qualified staff and continue to offer the public and the veterinary community advanced services, the agency must be able to obtain job specific training for its employees. The ability to offer training to employees would also allow the agency to consider applicants who may not have all of the needed skills but would be great additions.

## **G. Economic Variables**

The primary types of veterinary practice in Texas are companion animals (dogs, cats, and horses in many instances) and food production animals. The vast majority of veterinarians in Texas are in companion animal practice. Generally, companion animal practitioners may be more affected by significant economic conditions. One factor is that many procedures performed may be discretionary, such as spays and neuters. Veterinarians in food animal practice are more affected by foreign competition and weather conditions.

The agency and the profession contend with lay people performing acts that constitute the practice of veterinary medicine and are illegal. Animal owners seek ways to cut costs or to try novel procedures they believe will remedy problems or enhance performance. Gathering information that confirms a violation in this type of case is more time consuming than the average complaint. These types of cases usually require field work and delays are often encountered due to the need to coordinate with local law enforcement.

The Board's operations are such that there is little it can do to effectively adjust its operations in response to changes in any of the above economic conditions.

## **H. Impact of Federal Statutes/Regulations**

The Board receives no federal funds; however, the agency has a working relationship with three federal agencies: the Drug Enforcement Administration, the Food and Drug Administration, and the Department of Agriculture. Since veterinarians are allowed to maintain drug inventories and dispense directly to clients/patients, the DEA works closely with the Board.

The Board spends a tremendous amount of resources enforcing the laws and rules of the DEA (and the Texas Department of Public Safety) as they relate to dangerous drugs and controlled substances. Due to the resources limitations of those governmental entities, they often defer to the Board to enforce the laws on cases that do not rise to a level they designate but are still a threat to public safety. While the Board will always act to protect the public, it spends a great deal of resources enforcing the laws of other agencies.

## **I. Other Legal Issues**

### **a. Impact of Local Government Requirements**

Currently there are no local governmental requirements that impact the agency.

## **J. Self-Evaluation**

### **a. Opportunities For Improvement**

The Board is continuously seeking ways to improve every aspect of its operations and better serve the citizens of Texas and the veterinary community. This commitment to excellence has allowed the Board to operate effectively and efficiently during these times of reduced resources.

### **b. Agency Website**

The agency website will continuously undergo upgrades to allow for additional functionality to continue serving our various stakeholders. We will continue to use our website to further the statewide initiative of improving overall customer relations and government access through efficient access to information and assistance.

c. **Partnerships**

The Board, through its day-to-day operations as well as its enforcement and licensing functions, partners with many levels of government and private sector organizations to ensure public safety through veterinarian compliance with the State's laws and Board rules and to ensure that the agency works effectively and efficiently, utilizing state funds wisely and prudently.

Health Professions Council (HPC) - The HPC consists of the following health professions agencies:

- Texas Board of Chiropractic Examiners;
- Texas State Board of Dental Examiners;
- Texas Funeral Service Commission;
- Department of State Health Services, Professional Licensing and Certification Division;
- Texas Medical Board;
- Texas Board of Nursing;
- Texas Optometry Board;
- Texas State Board of Pharmacy;
- Executive Council of Physical Therapy and Occupational Therapy Examiners;
- Texas State Board of Podiatric Medical Examiners;
- Texas State Board of Examiners of Psychologists; and
- Texas State Board of Veterinary Medical Examiners.

As a member of the HPC family, the Board works closely with other members to find and implement efficiencies within agency administrative functions by sharing staff and other resources. At present, many of the smaller HPC agencies share two information technology staff through the HPC help desk. The HPC also assists member agencies by providing a telephone complaint system, Board member program training, and shared document imaging. HPC members are also reviewing ways to share resources within the areas of fiscal and human resources.

**State Government:** The Board works in partnership with various state agencies through its licensing and enforcement functions to ensure public safety and veterinarian compliance with laws and rules. The state agencies the Board works most closely with include the Texas Department of Public Safety; Texas Animal Health Commission; Texas Department of Health, primarily the Zoonosis division; Texas Racing Commission; Texas Guaranteed Student Loan Corporation; the Office of the Attorney General; and Texas A & M University. In addition to Texas state agencies, the Board is also a member of the American Association of Veterinary State Boards (AAVSB).

Most of the Board's collaboration with these state agencies consists of ensuring that our licensees adhere not only to our rules, but also to those of the other agencies. For example, the Texas Department of Health is responsible for setting the requirements of the Rabies Control Act. The Board aligns its rules to support the Rabies Control Act by ensuring that veterinarians maintain rabies vaccination records as required by the Act. The Board also submits its database (Sugar CRM) to the Department of Public Safety, the Office of Attorney General, Child Support Division, and the Texas Guaranteed Student Loan Corporation to assist those agencies in the enforcement of their laws, rules and collections. As of late, the Board also submits information to the Texas Department of State Health Services to assist in their mandated maintenance of a volunteer registration database of all health professionals in case of disasters or other emergencies.

Texas A&M University Measurement and Research Division and the agency's exam contractor provide independent validation of the agency's State licensing exams relevancy and its merit as well as scores attained by the examinee.

The Board works with the Texas Animal Health Commission (TAHC), along with many other entities, to establish the State of Texas Foreign Animal Diseases Plan. The Board also supports the TAHC's mission by ensuring that only qualified, licensed veterinarians perform veterinary services, including the diagnosis and reporting of diseases within the TAHC scope of regulation.

**Federal Government:** The Board partners with the Federal Drug Administration, the United States Department of Agriculture, and the United States Drug Enforcement Administration in areas of enforcement.

The Board also works with a number of organizations and associations related to veterinarians, veterinary technicians and animals.

**d. Texas As A Leader**

The Texas Board of Veterinary Medical Examiners has been a committed leader in the regulation of the veterinary profession at the national level. Texas Board members have been key in the initiation and development of programs that support the regulatory Boards in the U.S., the territories of the U.S., and Canada. In 1960, the Association of American Veterinary State Boards (AAVSB) was incorporated as a 501 (c)(3) corporation. Members of AAVSB meet annually to discuss regulatory issues and explore issues common to all. The AAVSB is governed by its Executive Committee, which consists of 7 members, 6 veterinarians and one public member, all elected from member Boards. The term for each member of the executive committee is two years, and the terms are staggered to assure continuity. Also, as an assurance of continuity, the president actually serves four years: one year as president-elect, two years as president, and one year as past president.

Initially, AAVSB had no headquarters or staff; volunteers of member Boards conducted all activities. In the early 1990's, AAVSB began exploring the idea of developing a national disciplinary database. When a Board received an application from a veterinarian licensed in another state, it needed an effective method to determine an applicant's disciplinary history. Often, applicants are, or were, licensed in several states. Those who had been revoked or had serious disciplinary actions in another state would simply not indicate they had been licensed in that state. It was not practical for the Board receiving an application to contact all other Boards to determine if the applicant had been licensed by them and if the applicant had serious disciplinary actions. Dr. Alton Hopkins, former member of the Texas Board, was instrumental in getting the states to agree to share their license and disciplinary information so that the database could be established. AAVSB hired staff and opened its first office in 1994. The national licensee database became operational that year.

This was the first of a series of services made available to member Boards. Since then, the following programs and services have been developed. Texas has always had a representative on the AAVSB Executive Committee that initiated and developed these programs:

- The Practice Act Database and Directory of Licensing Requirements - This program was among the first services provided by AAVSB to member Boards. The Directory maintains up-to-date licensing and application requirements for each jurisdiction and their current laws and rules/regulations. This information can be accessed at AAVSB's website, [www.aavsb.org](http://www.aavsb.org).
- The Registry of Approved Continuing Education (RACE) - This program became operational in 1997. RACE was developed to help both licensing Boards and national and regional providers of continuing education (CE). Most state Boards require that they approve CE in order for a licensee to obtain credit for participation. Vendors would be required to seek individual approval of all state Boards in states they wanted to provide CE. Staff in those Boards would be required to review them for approval. RACE provides that service by contracting with professionals who assess those programs, simplifying the process for both the state Boards and the vendors.
- The Veterinary Information Verifying Agency (VIVA) - This program became operational in 1998. This service allows veterinarians to register their basic licensing credentials at a single source. Virtually every licensing entity requires basic documentation such as certified birth certificates, transcripts of graduation, and name changes after marriage. If a veterinarian seeks a license in more than one state, the veterinarian would need to obtain a certified copy of each of these documents. This process is both costly and time consuming. Now, licensees, mostly new graduates, routinely register with VIVA. Since the profession is becoming much more mobile, this service is very helpful to both veterinarians and licensing Boards.

- The Program for the Assessment of Veterinary Education Equivalence (PAVE) - In 2000, AAVSB delegates voted to establish an educational equivalence program for veterinarian graduates of non-accredited veterinary schools, most of which are graduates of foreign schools. The program receives and reviews all documentation of academic work, requires affirmation of English language proficiency, requires passing a basic sciences examination, and affirmation of clinical proficiency. Today, forty states, Puerto Rico and the Virgin Islands recognize the PAVE certificate. Since 2002, there have been a total of 2,017 PAVE certificates granted.
- The need for sound assessment and accreditation of graduates of foreign and non-accredited veterinary schools is essential. Most predict that the 28 current veterinary colleges in the U.S. cannot supply all the veterinarians needed. The last state to add a veterinary college was California in 1998. A recent study by the American Veterinary Medical Association indicated that between 2002-2012, Texas would have 150 job openings each year. It is second only to California, which needs 200 new veterinarians annually. The need will exceed this nation's graduating capacity.
- Substantial progress has been made to develop new programs and strengthen the regulation of veterinary medicine in Texas and the other jurisdictions that make up the veterinary community with which we all interact. Members of the Texas State Board of Veterinary Medical Examiners will always be key players in that effort. Equine Dental Providers were added in 2011, and Veterinary Technicians have been added in 2013.

**e. Agency Successes**

**1. Continuing Education**

Based on changes to the Veterinary Licensing Act mandated by the 79<sup>th</sup> Legislature, the Board has adopted requirements relating to verifying continuing education credits for Texas veterinarians. Random CE audits by licensing, combined with the Enforcement division's efforts of compliance inspections, has strengthened the agency's continuing education program. The more stringent accounting requirements for both the provider and the attendee have resulted in a more reasonable assurance that the individual has completed the number of CE hours claimed.

**2. Online Renewal**

The 100% participation of eligible veterinarians for online renewal is being sought. Due to the licensing division's more aggressive advertising strategy to solicit improved participation, 91% of eligible veterinarians have renewed their license online during 2013. Future endeavors will include the on-line license renewal of Equine Dental Providers (EDP) and Licensed Veterinary Technicians (LVT).

**3. Unlicensed Practice of Veterinary Medicine**

As a result of Sunset Review, the Legislature amended our Act to authorize the agency to issue "Cease and Desist" orders to persons practicing veterinary medicine without a license effective Sept. 1, 2005. Due to budgetary constraints and having only a 3/4 time General Counsel, the agency undertook very little, if any, enforcement efforts on unauthorized practice cases. In early 2007, agency staff, with the support of the Board, began actively investigating such cases, including the unauthorized practice of equine dentistry. In 2011, the Texas Legislature gave the Board the power to license and regulate equine dental providers. The Board now investigates and pursues prosecution for the unauthorized practice of both veterinary medicine and equine dentistry.

Our enforcement staff assists law enforcement in the pursuit of criminal cases by conducting undercover operations and providing guidance related to practicing without a license cases. Enforcement staff refers these criminal cases to local law enforcement. Only five of these cases were closed by arrest in fiscal year 2012.

The realization by the public that the Board now actively enforces the Veterinary Licensing Act has caused the Board to receive many complaints from the public regarding the unlawful practice of veterinary medicine and equine dentistry. We are limited in the number of these cases that can be filed and prosecuted due to limited manpower resources and the costs associated with a SOAH contested case. We also have several standard of care or malpractice cases that are in the process

of SOAH trial preparation prior to filing. It has also become more common for Respondents to appear at our Informal Conferences represented by counsel, which creates added complexity and difficulty and increases the costs of litigation to the agency.

## **VII. Agency Goals, Objectives, and Outcome Measures**

### **A. GOAL: VETERINARY REGULATION**

To establish and implement reasonable standards for veterinary practice, investigate complaints, and enforce Chapter 801, Texas Occupations Code to assure that safe and effective veterinary services are delivered to the citizens of Texas.

**Objective:**

To operate a licensure system that will assure that all licensees meet minimum licensure standards.

**Outcome Measures:**

Percentage of Licensees with No Recent Violations  
Percent of Licensees Who Renew Online  
Percent of New Individual Licenses Issued Online

**Objective:**

To investigate all complaints received and take disciplinary action against veterinarians who have violated the law and/or board rules and conduct a compliance program to secure voluntary compliance with the law and board rules.

**Outcome Measures:**

Percentage of Complaints Resulting in Disciplinary Action  
Recidivism Rate for Those Receiving Disciplinary Action  
Percent of documented complaints resolved within six months

**Objective:**

Provide a Peer Assistance Program for Licensed Individuals

**Outcome Measures:**

Recidivism Rate for Peer Assistance Programs  
One-year Completion Rate for Peer Assistance Programs

### **Strategies, Efficiency, Explanatory and Output, Measures**

#### **A.1.1. Strategy: LICENSING**

Examine and License Veterinarians and Renew Licenses

**Efficiencies:**

Percentage of New Individual Licenses Issued within Ten Days  
Percentage of Individual License Renewals Issued within Seven Days

**Explanatory:**

Total Number of Individuals Licensed

**Outputs:**

Number of New Licenses Issued to Individuals  
Number of Licenses Renewed (Individuals)

#### **A.2.1 Strategy: ENFORCEMENT**

Investigate Complaints, Discipline Violators and Promote Compliance

**Efficiencies:**

Average Time for Complaint Resolution

**Explanatory:**

Number of Jurisdictional Complaints Received

**Outputs:**

Number of Compliance Inspections

Number of Complaints Resolved

**A.2.2 Strategy: Peer Assistance**

Provide a Peer Assistance Program for Licensed Individuals

**Outputs:**

Number of Licensed Individuals Participating in a Peer Assistance Program

**B. GOAL: INDIRECT ADMINISTRATION**

**B.1.1. Strategy: Indirect Administration - Licensure**

**B.1.2. Strategy: Indirect Administration - Enforcement**

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## **VIII. Appendices**

- A. Description of the Agency's Planning Process
- B. Current Organizational Chart
- C. Five-Year Projections of Outcomes
- D. Performance Measure Definitions
- E. Workforce Plan

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## DESCRIPTION OF AGENCY'S PLANNING PROCESS

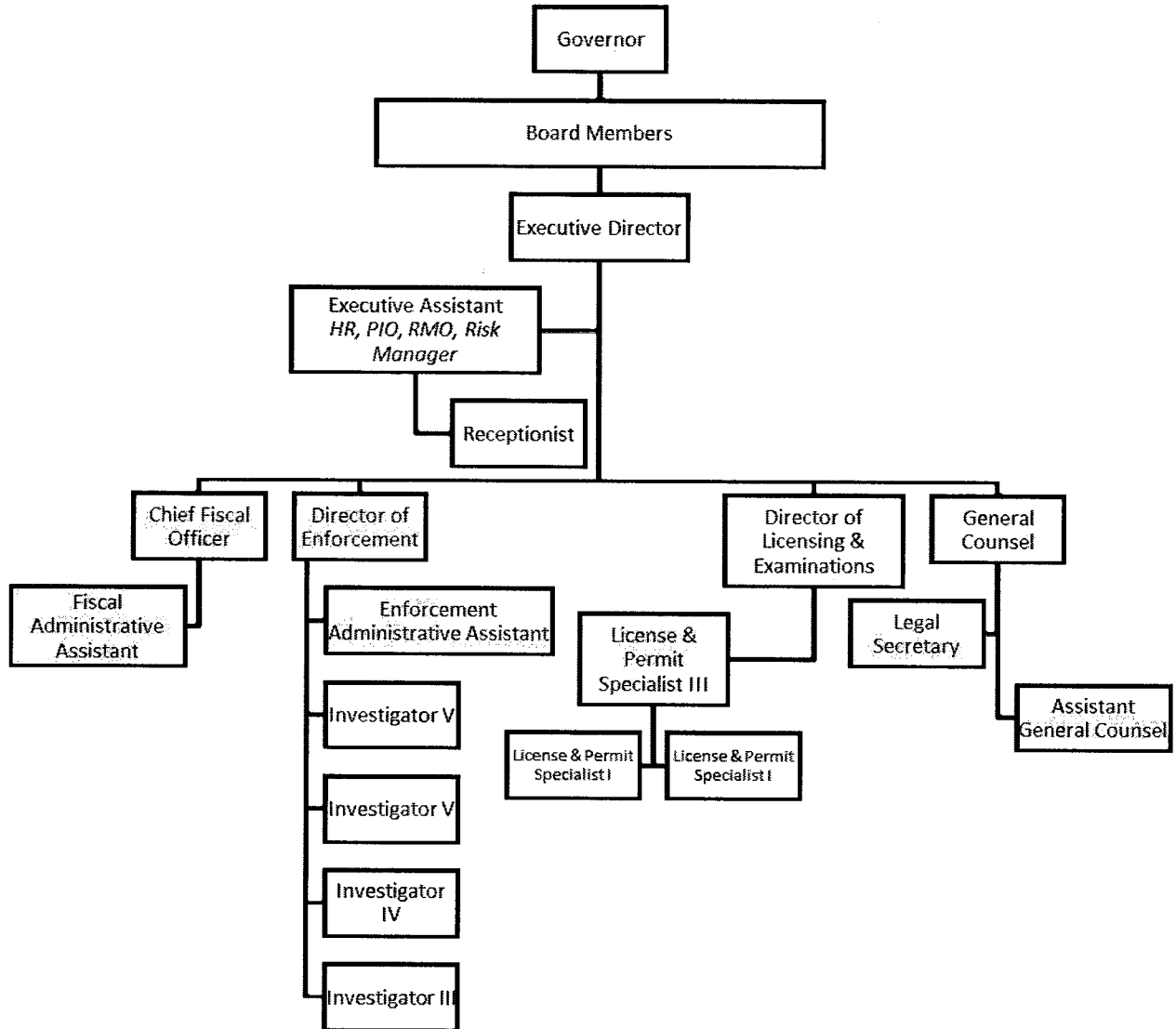
The Board's planning process parallels the biennial appropriations cycle. As the agency begins the cycle with the Strategic Plan and then the Legislative Appropriations Request (LAR), the Board's staff assesses changes in its environment and their effects on current and future resource needs. The Board normally meets three times per year, in February, June, and October. Board staff presents basic policy issues to be considered for the Strategic Plan. The agency's Strategic Plan and topics to be included in the LAR will be submitted to the Board at their June 2014 meeting for approval.

During the biennium, at each Board meeting, the Board is routinely kept updated and informed by the Executive Director on progress or plans, budgetary and operational issues. Policy and budgetary matters are addressed, and staff makes the corresponding operational and budgetary changes. The process is repeated at each meeting during the year.

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CURRENT ORGANIZATIONAL CHART

TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS  
ORGANIZATIONAL CHART AS OF JUNE 1, 2014



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**FIVE-YEAR PROJECTION OF OUTCOMES**

<b>OUTCOME</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Percent of licensees with no recent violations	97%	97%	97%	97%	97%
Percent of complaints resulting in disciplinary action	25%	25%	25%	25%	25%
Recidivism rate for those receiving disciplinary action	10%	10%	10%	10%	10%
Percent of documented complaints resolved within six-months	60%	60%	60%	60%	60%
Recidivism rate for peer assistance programs	20%	20%	20%	20%	20%

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## PERFORMANCE MEASURE DEFINITIONS

### LICENSING STRATEGY

#### OUTCOME MEASURE

##### 1. Percent of Licensees with No Recent Violations

*Short Definition:* The percent of the total number of licensed individuals at the end of the reporting period who have not incurred a violation within the current and preceding two years (three years total).

*Purpose/Importance:* The purpose of this measure is to track the total number of licensees without a violation. This measure provides useful information for management purposes. It is helpful for noting variances and determining resource allocation.

*Source/Collection of Data:* Data regarding the number of complaints, actions and license holders is collected by agency staff and stored electronically in the agency's database.

(The data source is the agency's database. As complaints are received, all the complaint information is entered into the agency's database. Each complaint that is closed has a specific close code, the close code "No Violation" indicates the complaints did not result in disciplinary action against the licensee. The Enforcement Director enters the beginning date and ending date of the reporting period in the Start and End Date fields on the report dashlet. Then selects "Report by Date Range" for the dropdown report option. Clicks the button "Enforcement Performance Reports". The report is generated as an HTML page that can be printed. The HTML grid page that produces the report displays all the supporting structured query language that generates the report.)

*Method of Calculation:* The structured query language used to generate the percentage of licensees with no recent violations creates a subquery of all offenders in a date range of the start date and 3 years prior, where the complaint was closed to board order. Then a query of all current licensees tied to complaints within the date range and where the complaint is closed to Board Order and see if the group in the new batch of complaints is in the group of complaints 3 years back. A repeat offender is license who has had more than one complaint closed to Board Order within last 3 years of the reporting period more than 1 time. Repeat Offenders divided by Current Offenders times 100 is the percentage displayed

*Data Limitations:* The agency has no control over the number of individuals licensed or the number of incoming complaints that may result in violations. The data is dependent on the number of individuals licensed and the number of complaints received resulting in violations.

*Calculation Type:* Non-cumulative

*New Measure:* No

*Desired Performance:* Higher than target

##### 2. Percent of Licensees Who Renew Online

*Short Definition:* Percentage of the total number of eligible licensed individuals that renewed their license during the reporting period. Ineligible licensees are those whose license has expired and owe for more than one renewal period. Licensees who have to renew but pay no fee such as military and retired practitioners are ineligible to renew on-line.

*Purpose/Importance:* To track use of online license renewal technology by the eligible license population. This measure provides useful information for management purposes. It is helpful for noting variances and determining resource allocation.

*Source/Collection of Data:* The data source for online renewals comes from the agency's online vendor and is stored in the agency's database.

(The data of which licensee that used a credit card to renew their license online comes from the vendor in a pipe delimited text file which is uploaded into the agency's database; this data upload is completed daily at 5 am. Each individual licensee record is updated with the renewal information. An email is sent to the Director of Licensing and the License and Permit Specialist III containing a list of the individuals that renewed online the prior day. A second email is sent if the address information was unable to update within the database and requires individual data entry and confirmation of the new data.)

*Method of Calculation:* The number of online renewals is divided by the total number of renewals for that reporting period and is multiplied by 100 to display as a percentage.

(The number of individual licenses renewed online is determined by the payment type which is unique to online imports and where the transaction type is a renewal or a 1st year retirement renewal. The online count total is divided by the total number of renewals during the reporting period. The result is multiplied by 100 to display as a percentage.)

*Data Limitations:* The agency has no control over the number of licensees who avail themselves of the on-line renewal option.

*Calculation Type:* Non-cumulative

*New Measure:* No

*Desired Performance:* Higher than target

## **OUTPUT MEASURES**

### **1. Number of New Licenses Issued to Individuals**

*Short Definition:* The number of licenses issued to previously unlicensed individuals during the reporting period.

*Purpose/Importance:* A successful licensing structure must ensure that legal standards for professional education and practice are met prior to licensure. This measure is a workload indicator showing the number of unlicensed persons who successfully meet all licensing criteria established by statute and rules as verified by the agency during the reporting period. A successful licensing structure must ensure that legal standards for professional education and practice are met prior to licensure.

*Source/Collection of Data:* The information comes from the agency database that records those individuals newly licensed in the state. A paper copy of the logs listing the names of individuals newly licensed (as a regular, special, temporary or provisional licensee) during the reporting period is printed by the director of licensing. Lists are maintained in the exam files and the main licensing book maintained by the agency. For the annual report, the number of licensees on the annual log is reconciled to the sum of the number of licenses issued each quarter.

*Method of Calculation:* Only new licenses are counted. Provisional licensees are not counted. Licenses are counted as new for persons who were previously licensed, but whose license was cancelled by authority of law or upon request. These licensees are required to meet all criteria of a new applicant/licensee. Each license type and profession type is segmented and tallied as separate totals. The measure counts licenses where the issued date or re-issued date is within the date range of the reporting period.

*Data Limitations:* The agency has no control over the number of applicants for licensure or the pass rate of applicants on the exam.

*Calculation Type:* Cumulative

*New Measure:* No

*Desired Performance:* Higher than target

## **2. Number of Licenses Renewed (Individuals)**

*Short Definition:* The number of licensed individuals who renewed their license during the reporting period for the current fiscal year.

*Purpose/Importance:* Licensure renewal is intended to ensure that persons who want to continue to practice in their respective profession satisfy current legal standards established by statute and rule for professional education and practice. This measure is intended to show the number of license renewals that were issued during the reporting period to individuals who currently held a valid license.

*Source/Collection of Data:* The information comes from the agency's database which is populated by data files received from the agency's on-line vendor and manual upload of data by a licensing permit specialist.

*Method of Calculation:* The total number of licenses renewed during the reporting period.

(The measure is calculated by querying the agency database to produce a list containing the names of individuals who have renewed their license during the previous reporting period. Each license is tied to a transaction with the transaction type designated. Each license is also designated by a profession and license type. Performing a query for the date range of the transaction date of the renewal and the profession type and license type will produce a count to be displayed in a report.)

*Data Limitations:* The agency has no control over the number of licensees who choose to renew or not renew their Texas license.

*Calculation Type:* Cumulative

*New Measure:* No

*Desired Performance:* Higher than target

## **EFFICIENCY MEASURES**

### **1. Percentage of New Individual Licenses Issued within Ten Days**

*Short Definition:* Of all licenses issued within a reporting period, the percentage of licenses issued within ten (10) days.

*Purpose/Importance:* This measures the ability of the agency to issue new licenses in a timely manner.

*Source/Collection of Data:* Data regarding the number of individual licenses issued is collected by agency staff and stored electronically in the agency's database.

(The Licensing Director has access to the dashlet interface to generate this report. The Licensing Director enters the beginning date and ending date of the reporting period in the Start and End Date fields. Then selects "All Licenses Issued with 10 Day Stats" for the dropdown report option. Clicks the button "Licensing Performance Reports". The report is generated as an HTML page that can be printed. The HTML grid page that produces the report displays all the supporting structured query language that generates the report. This code is set for Screen Display only and it is set as No Print in the style sheets to prevent its output when printed.)

*Method of Calculation:* The date a license is issued less the date the license is mailed is equal to or less than 10 days, the result is divided by the total number licenses issued for the reporting period and multiplied by 100 to show as a percent.

(Each of the 3 professions (Veterinarian, Equine Dental Provider, Licensed Vet Tech) are headers with 3 subsets (Regular, Special & Temporary) and a total count for each license type is displayed, with a total summation of all profession/license types as a grand total. Provisional veterinary licenses are not counted, as a provisional license is a transitory step to a regular license. The provisional license is not renewable nor can it be reissued. "Issued within 10 days" is a percentage based on the Total Compliant (the total license count issued within 10 days ) divided by Total Licenses Issued within the reporting period, times 100 shown as a percentage.

*Data Limitations:* None identified

*Calculation Type:* Non-cumulative

*New Measure:* No

*Desired Performance:* Higher than Target

## 2. **Percentage of Individual License Renewals Issued within Seven Days**

*Short Definition:* The percentage of individual license renewals due for the current fiscal year that were processed during the reporting period within seven days of receipt of renewal request.

*Purpose/Importance:* This measures the ability of the agency to process renewals in a timely manner.

*Source/Collection of Data:* A Data regarding the number of licenses issued is collected by agency staff and stored electronically in the agency's database.

(The Licensing Director has access to the dashlet interface to generate this report. The Licensing Director enters the beginning date and ending date of the reporting period in the Start and End Date fields. Then selects "All Renewals with 7 Day Stats" for the dropdown report option. Clicks the button "Licensing Performance Reports". The report is generated as an HTML page that can be printed. The HTML grid page that produces the report displays all the supporting structured query language that generates the report. This code is set for Screen Display only and it is set as No Print in the style sheets to prevent its output when printed.)

*Method of Calculation:* The total number of renewals issued within seven days is divided by the total number of renewals issued within the reporting period.

(Each of the 3 veterinary professions (Veterinarian, Equine Dental Provider, Licensed Vet Tech) are headers with 5 subsets (Regular, Inactive, Special, Military, Retired) and a total displayed. Each profession type has a total count and then the total count of these three profession types is the agency's total count of issued license renewals. "Issued within 7 days" is a percentage based on the total compliant renewals divided by the total licenses renewed within the reporting period multiplied by 100 to show as a percentage. The total compliant renewals reflects the record count of licenses where Date of the Document Mailed minus the Actual Date of Renewal is equal to or less than 7 days.

Other report criteria:

- The issue date OR the reissue date must be within the reporting period
- Provisional license type is excluded from the count

*Data Limitations:* None identified

*Calculation Type:* Non-cumulative

*New Measure:* No

*Desired Performance:* Higher than Target

## EXPLANATORY MEASURES

### 1. Total Number of Individuals Licensed

*Short Definition:* Total number of individuals licensed at the end of the reporting period.

*Purpose/Importance:* The measure shows the total number of individual licenses. This measure is used for budgeting, management and resource allocation purposes.

*Source/Collection of Data:* Data regarding the number of licenses issued is collected by agency staff and stored electronically in the agency's database.

(The Licensing Director has access to the dashlet interface to generate the report "Agency License Statistics by Fiscal Year". The report is a "snapshot" of the current day's data).

*Method of Calculation:* The report gives the total count of individuals licensed by profession type (veterinarian, equine dental provider and licensed veterinary technician) and license type (regular, inactive, special, provisional, temporary, military and retired) on the last day of the reporting period. Licenses in a delinquent status are included. The summation of the sub-total counts of each profession is the total of all licensees.

*Data Limitations:* This is a "snapshot" of licensees on the last day of the reporting period, not the total number of individuals who have been licensed during the year.

*Calculation Type:* Non-cumulative

*New Measure:* No

*Desired Performance:* Higher than Target

## ENFORCEMENT STRATEGY

### OUTCOME MEASURES

#### 1. Percent of Complaints Resulting in Disciplinary Action

*Short Definition:* Percent of complaints which were resolved during the reporting period that resulted in disciplinary action.

*Purpose/Importance:* The measure is intended to show the extent to which the agency exercises its disciplinary authority in proportion to the number of complaints received. It is important that both the public and licensees have an expectation that the agency will work to ensure fair and effective enforcement of the act and this measure seeks to indicate agency responsiveness to this expectation.

*Source/Collection of Data:* The director of enforcement runs a report off the TexVets which lists all the complaints resolved for the period. The report contains a category which lists all the complaints resulting in disciplinary actions (complaints closed to board order). The total number of complaints resolved and the complaints resulting in disciplinary actions are calculated by TexVets and recorded on the report. The reports are kept in the binder containing enforcement performance report documentation.

*Method of Calculation:* The total number of complaints resolved during the reporting period that resulted in disciplinary action (numerator) is divided by the total number of complaints resolved during the reporting period (denominator). The result is multiplied by 100 to achieve a percentage. Disciplinary actions are contained in board orders, which may include reprimands, suspensions, probation, revocation, and/or fines on which the board has acted.

*Data Limitations:* When a disciplinary action resolves multiple complaints against one veterinarian, this figure is inflated. Also, resolution of a number of minor continuing education complaints can cause this figure to be inflated.

*Calculation Type:* Non-cumulative

*New Measure:* No

*Desired Performance:* Higher than Target

## **2. Recidivism Rate for Those Receiving Disciplinary Action**

*Short Definition:* The number of repeat offenders at the end of the reporting period as a percentage of all offenders during the most recent three-year period.

*Purpose/Importance:* This measure provides useful information for management purposes. It is helpful for noting variances and resource allocation. The measure is intended to show how the agency enforces its regulatory requirements and prohibitions. It is important that the agency enforce its act and rules strictly enough to ensure consumers are protected from unsafe, incompetent and unethical practice by the licensed professional and unlicensed offenders.

*Source/Collection of Data:* Data regarding the number of complaints, actions and license holders is collected by agency staff and stored electronically in the agency's database. (The enforcement department enters all the complaint information in the database, including when the complaint was received, the complainant information, the specifics of the complaint, and when the case is closed and if the case was closed to a violation. The closed status of being "Closed to a Board Order" indicates that a violation did occur and disciplinary action was taken by the Board. The Enforcement Director enters the beginning date and ending date of the reporting period in the Start and End Date fields on the report dashlet. Then selects "Report by Date Range" for the dropdown report option. Clicks the button "Enforcement Performance Reports". The report is generated as an HTML page that can be printed. The HTML grid page that produces the report displays all the supporting structured query language that generates the report.)

*Method of Calculation:* The number of individuals against whom two or more disciplinary actions were taken by the board within the current and preceding two fiscal years (numerator) is divided by the total number of individuals receiving disciplinary actions within the current and preceding two fiscal years (denominator). The result is multiplied by 100 to achieve a percentage.

*Data Limitation:* The agency has no control of the recidivism of offenders.

*Calculation Type:* Non-cumulative

*New Measure:* No

*Desired Performance:* Lower than Target

## **3. Percent of Documented Complaints Resolved Within Six Months**

*Short Definition:* The percent of all complaints during the reporting period that were resolved within a six month period from the time they were initially received by the agency.

*Purpose/Importance:* The measure is intended to show the percentage of complaints which are resolved within a reasonable period of time. It is important to ensure the swift enforcement of the Veterinary Act and Rules which is an agency goal.

*Source/Collection of Data:* Data regarding the number of complaints, actions and license holders is collected by agency staff and stored electronically in the agency's database.

(The Enforcement Director enters the beginning date and ending date of the reporting period in the Start and End Date fields on the report dashlet. Then selects "Report by Date Range" for the dropdown report option. Clicks the button "Enforcement Performance Reports". The report is generated as an HTML page that can be printed. The HTML grid page that produces the report displays all the supporting structured query language that generates the report. This code is set for Screen Display only and it is set as No Print in the style sheets to prevent its output when printed.)

*Method of Calculation:* All jurisdictional complaints that are closed within the reporting period.

(When difference of the date the complaint was closed and the date the complaint was received is less than 181 days these are considered closed within 6 months. Then the total count of complaints closed within 6 months is divided by the total of jurisdictional complaints closed within the reporting period and multiply by 100 for the percentage.

*Data Limitations:* Two board members, who are practicing veterinarians, review cases requiring veterinary expertise subsequent to investigation by the staff. This involves extra time for documents to be shipped and reviewed by these board members as staff lacks the requisite veterinary expertise to determine whether a standard of care violation has occurred. Also, the board holds only three meetings per year. Complaints resolved by board order are not complete until final action has been taken by the board; therefore, a significant amount of time can be accrued awaiting final action at the next board meeting. Complaints are often resolved when the staff or the reviewing veterinarian determine there is no jurisdiction, no violation, the complaint is dismissed during the Informal Conference, the Board and the individual sign the agreed order, or the complaint is referred to the State Office of Administrative Hearings.

*Calculation Type:* Non-cumulative

*New Measure:* No

*Desired Performance:* Higher than Target

## **OUTPUT MEASURES**

### **1. Number of Compliance Inspections**

*Short Definition:* The number of compliance inspections conducted during a reporting period.

*Purpose/Importance:* The measure shows the workload involved in conducting routine inspections of licensees. This is also an educational program which serves to identify problems and thereby potentially reduce the number of complaints.

*Source/Collection of Data:* Data regarding the number of complaints, actions and license holders is collected by agency staff and stored electronically in the agency's database.

(The enforcement admin enters that date the complaint is received into the database for all complaints received by the agency. The Enforcement Director enters the beginning date and ending date of the reporting period in the Start and End Date fields on the report dashlet. Then selects "Report by Date Range" for the dropdown report option. Clicks the button "Enforcement Performance Reports". The report is generated as an HTML page that can be printed. The HTML grid page that produces the report displays all the supporting structured query language that generates the report. This code is set for Screen Display only and it is set as No Print in the style sheets to prevent its output when printed.)

*Method of Calculation:* The total count of inspections where the inspection date is within the reporting period.

*Data Limitations:* The number of compliance inspections conducted is limited by the amount of travel budget available and other agency resources. Also, many compliance inspections can be conducted in a short time within an urban area, where multiple veterinarians practice within one clinic and clinics are geographically located in close proximity. However, in a rural area, where there are many sole practitioners, mobile practitioners, and distances between clinics are geographically further apart, fewer compliance inspections can be conducted.

*Calculation Type:* Cumulative

*New Measure:* No

*Desired Performance:* Higher than Target

## 2. Number of Complaints Resolved

*Short Definition:* The total number of jurisdictional complaints resolved during the reporting period. Complaints are resolved when the staff or the reviewing veterinarians determine there is no violation, the complaint is dismissed during an Informal Conference, the Board and the individual sign the agreed order, or the complaint is referred to the State Office of Administrative Hearings.

*Purpose/Importance:* The measure shows the workload associated with resolving complaints.

*Source/Collection of Data:* Data regarding the number of complaints, actions and license holders is collected by agency staff and stored electronically in the agency's database.

(The enforcement admin enters that date the complaint is closed and the reason the complaint was closed into the database for all complaints received by the agency. The Enforcement Director enters the beginning date and ending date of the reporting period in the Start and End Date fields on the report dashlet. Then selects "Report by Date Range" for the dropdown report option. Clicks the button "Enforcement Performance Reports". The report is generated as an HTML page that can be printed. The HTML grid page that produces the report displays all the supporting structured query language that generates the report. This code is set for Screen Display only and it is set as No Print in the style sheets to prevent its output when printed.)

*Method of Calculation:* The total number of complaints during the reporting period upon which final action was taken by the board or for which a determination is made that a violation did not occur. A complaint that, after preliminary investigation, is determined to be non-jurisdictional is not a resolved complaint.

(The report shows a breakdown of Jurisdictional and Non-Jurisdictional Complaints that were CLOSED within the reporting period and shows the total. A jurisdictional complaint is a complaint where the OPEN TYPE is not like Non-Jurisdictional or the CLOSED TYPE is not like Non-Jurisdictional. A non-jurisdictional complaint is a complaint where the OPEN TYPE is like Non-Jurisdictional or the CLOSED TYPE is like Non-Jurisdictional. A closed complaint is where the Closed Date falls in the reporting period and the complaint has a status of closed.)

*Data Limitations:* The board secretary (who is a practicing veterinarian) reviews cases requiring veterinary expertise subsequent to investigation by the staff. This involves extra time for documents to be shipped and reviewed. Also, the board holds only three meetings per year and a significant amount of time can be accrued awaiting final action at the next board meeting.

*Calculation Type:* Cumulative

*New Measure:* No

*Desired Performance:* Higher than Target

## EFFICIENCY MEASURES

### 1. Average Time for Complaint Resolution

*Short Definition:* The average length of time to resolve a complaint, for all jurisdictional and non-jurisdictional complaints resolved during the reporting period.

*Purpose/Importance:* The measure shows the agency's efficiency in resolving complaints.

*Source/Collection of Data:* Data regarding the number of complaints, actions and license holders is collected by agency staff and stored electronically in the agency's database.

(The enforcement admin enters that date the complaint is closed and the reason the complaint was closed into the database for all complaints received by the agency. The Enforcement Director enters the beginning date and ending date of the reporting period in the Start and End Date fields on the report dashlet. Then selects "Report by Date Range" for the dropdown report option. Clicks the button "Enforcement



Performance Reports". The report is generated as an HTML page that can be printed. The HTML grid page that produces the report displays all the supporting structured query language that generates the report. This code is set for Screen Display only and it is set as No Print in the style sheets to prevent its output when printed.)

*Method of Calculation:* The total number of calendar days to resolve all complaints closed during the reporting period (numerator) divided by the total number of complaints resolved during the reporting period (denominator).

(This report Includes all closed jurisdictional complaints within the reporting period. Then the difference of the date closed and date received is calculated, if the difference is less than 181 days it is considered closed within 180 days. Then the count of jurisdictional complaints closed within 180 days is divided by the total count of jurisdictional complaints and multiplied by 100 for the percentage.)

*Data Limitations:* The agency has no control over the types of complaints filed. Board members review cases requiring veterinary expertise subsequent to investigation by the staff. This involves extra time for documents to be shipped and reviewed. Also, the board holds only three meetings per year and a significant amount of time can be accrued awaiting final action at the next board meeting. Complaints received in regards to people practicing veterinary medicine without a license also take more time to investigate.

*Calculation Type:* Non-cumulative

*New Measure:* No

*Desired Performance:* Lower than Target

## EXPLANATORY MEASURES

### 1. Number of Jurisdictional Complaints Received

*Short Definition:* Data regarding the number of complaints, actions and license holders is collected by agency staff and stored electronically in the agency's database.

(The enforcement admin enters that date the complaint is received into the database for all complaints received by the agency. The Enforcement Director enters the beginning date and ending date of the reporting period in the Start and End Date fields on the report dashlet. Then selects "Report by Date Range" for the dropdown report option. Clicks the button "Enforcement Performance Reports". The report is generated as an HTML page that can be printed. The HTML grid page that produces the report displays all the supporting structured query language that generates the report. This code is set for Screen Display only and it is set as No Print in the style sheets to prevent its output when printed.)

*Purpose/Importance:* The measure shows the number of jurisdictional complaints which helps determine agency workload.

*Source/Collection of Data:* When a complaint is received, it is entered into a manual log. Complaints are numbered sequentially within a fiscal year. (Example: 02-001, 02-002, etc.) The director of enforcement counts the number of complaints received during the reporting period and notes the total on a copy of the log. This copy is kept in the binder containing enforcement performance report documentation.

*Method of Calculation:* The total number of jurisdictional complaints received by the agency during the reporting period.

(The HTML report is a breakdown of Jurisdictional and Non-Jurisdictional Complaints that were RECEIVED within the reporting period and shows the total. A jurisdictional complaint is a complaint where the OPEN TYPE is not like Non-Jurisdictional or the CLOSED TYPE is not like Non-Jurisdictional. A non-jurisdictional complaint is a complaint where the OPEN TYPE is Non-Jurisdictional or the CLOSED TYPE is like Non-Jurisdictional. A received complaint is where the DATE\_RECEIVED falls in the reporting period.)

*Data Limitations:* The Board has no control over the number of complaints received.

*Calculation Type:* Cumulative

*New Measure:* No

## **PEER ASSISTANCE STRATEGY OUTCOME MEASURES**

### **1. Recidivism Rate for Peer Assistance Programs**

*Short Definition:* The percentage of individuals who receive related disciplinary action within three years of completion of the peer assistance program.

*Purpose/Importance:* The measure is intended to show the three-year recidivism rate for those individuals who have been through the peer assistance program. It is important because it indicates the extent that consumers are being protected from impaired individuals as a result of participating in the peer assistance program.

*Source/Collection of Data:* Due to the confidential nature of this program, the program administrator for the peer assistance program maintains the data and provides to the agency the names of known individuals who completed the program for that reporting period. Agency staff does not have access to any of the participant files. The Peer Assistance Program provides the names of individuals who completed the program for that reporting period. Agency records refer to participants only by initials and case number. The peer assistance contact on staff provides the names of licensees who have had disciplinary actions imposed which were related to substance abuse.

*Method of Calculation:* Of all known individuals successfully completing the program in fiscal year X-3 (where X is the current fiscal year), the percent of individuals receiving related disciplinary action from the board anytime between the beginning of fiscal year X-3 and the end of fiscal year X (i.e, the current fiscal year).

*Data Limitations:* The agency has no control over participants who relapse. In addition, the number of participants in the program is relatively small. Individuals must sign a contract to participate for a minimum of two years. Therefore, a very small number of participants complete the program each year. Consequently, the relapse of one person can produce a large percentage change.

*Calculation Type:* Non-cumulative

*New Measure:* No

*Desired Performance:* Lower than Target

### **2. One-year Completion Rate for Peer Assistance Program**

*Short Definition:* Percent of known individuals who participated in the peer assistance program during the year prior to the reporting period and have not relapsed during the one year period.

*Purpose/Importance:* This measure is important because it indicates the extent that consumers are being protected from impaired individuals as a result of participating in the peer assistance program.

*Source/Collection of Data:* Due to the confidential nature of this program, the program administrator for the peer assistance program maintains the data. Agency staff does not have access to any of the participant files. As a reference, case numbers are assigned to the participants by fiscal year (Example: 02-01, 02-02, etc). Agency records refer to participants only by initials and case number. When a participant enters the program, the program administrator provides the entrance date, which is the date the participant signs the contract. For each reporting period, the program administrator identifies any participants who have suffered relapses and the relapse date. A relapse is defined as any use of mood-altering substances.

*Method of Calculation:* Of all individuals who participated in the peer assistance program in fiscal year X-1 (where X is the current fiscal year), the percent who have successfully participated in the program for one year with no relapses. Numerator: Participants in the program in X-1 who have not suffered a relapse. Denominator: Participants participating in the program in X-1. The numerator is divided by the denominator and the result is multiplied by 100 to achieve a percentage.

*Data Limitations:* The agency has no control over participants who relapse. With so few participants in the program, the relapse of one person can produce a large percentage change. Eligible participants are licensed veterinarians and veterinary medical students.

*Calculation Type:* Non-cumulative

*New Measure:* No

*Desired Performance:* Higher than Target

## **OUTPUT MEASURES**

### **1. Number of Licensed Individuals Participating in a Peer Assistance Program**

*Short Definition:* The number of eligible individuals who participated in a peer assistance program sponsored by the agency during the reporting period.

*Purpose/Importance:* The measure shows eligible individuals who continue to practice in their respective field who are participating in a peer assistance program.

*Source/Collection of Data:* Due to the confidential nature of this program, the program administrator for the peer assistance program maintains the data. As a reference, case numbers are assigned to the participants by fiscal year (Example: 02-01, 02-02, etc). Agency records refer to participants only by initials and case number. The program administrator provides the data regarding participants for the reporting period. This is provided by the peer assistance program's quarterly report.

*Method of Calculation:* The total number of all licensees who participated in the program at some point during the reporting period. Participants are individuals who have signed a contract to participate and are subject to ongoing monitoring requirements. Participants who have not yet signed a contract are not counted. Contracts are normally written for a two year period. Occasionally, the program administrator will extend the participant's contract (prior to expiration) beyond the initial two year period. In this case, the original case number is maintained and the individual is not counted again. Occasionally, a participant successfully completes the program and subsequently re-enters after a lapse of time. In this case, a new case number is assigned and the individual is treated as a new participant.

*Data Limitations:* Eligible participants are licensed veterinarians and veterinary medical students. Persons who are served before signing a contract are not counted. Involvement in the program customarily begins with intervention, then usually proceeds to in-patient treatment. Some hours of service may take place in the preliminary process prior to the signing of a contract.

*Calculation:* Non-Cumulative

*New Measure:* No

*Desired Performance:* Higher than Target

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# Texas Board Of Veterinary Medical Examiners



# Workforce Plan

June 2014

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## **OVERVIEW OF AGENCY SCOPE AND FUNCTIONS**

The Texas State Board of Veterinary Medical Examiners was created in 1911 by the 32<sup>nd</sup> Legislature and charged with regulating the practice of veterinary medicine, surgery and dentistry. As the years have passed, different legislative bodies have refined the Board's responsibilities and authority. The Board's current enabling legislation is located in Chapter 801, Texas Occupations Code.

### **Agency Mission**

The mission of the Board is to establish and enforce policies to ensure the best possible quality of veterinary and equine dental provider services for the people of Texas.

### **Agency Programs**

Today, the Board's primary program responsibilities include Licensing and Examination, Legal/Enforcement, and Peer Assistance.

### **Licensing and Examination**

The Licensing and Examination division is charged with ensuring that only those persons who have demonstrated the ability to meet or exceed the minimum qualifications required to be a licensed veterinarian in the state of Texas enter the practice and provide veterinary services to Texas citizens. The Board is also responsible for renewing the more than 7,756 licenses currently held by practitioners, and for collecting fees associated with the licensing and examination functions.

Through its licensing and examination efforts, the Board collected in excess of \$2.6 million for FY2011. This amount includes fees collected for Peer Assistance, application and exam fees, and licensing and license renewal fees. Also included in the total revenue collected is a \$200 professional tax for most licenses issued or renewed.

### **Enforcement**

The enforcement program is designed to protect consumers of veterinary and equine dental provider services and ensure veterinarians, equine dental providers, and licensed veterinary technicians comply with the Veterinary Licensing Act through the investigation of complaints and compliance inspections as well as the investigation of the unlicensed practice of veterinary medicine.

The legislature has granted the Board authority to utilize many tools for the enforcement efforts. Those tools include the ability to refuse to examine an applicant; suspension, probation or revocation of a license; issue reprimands, require the make up of missed continuing education and/or requiring additional continuing education; impose administrative penalties; and hold informal conferences concerning alleged violations of the Act.

### **Peer Assistance**

The Peer Assistance program assists veterinarians and veterinary students who are impaired by chemical dependency or mental illness.

The program, authorized by Chapter 467 of the Health and Safety Code, is administered under contract through the Professional Recovery Network and is approved by the Texas Commission on Alcohol and Drug Abuse.

### **Our Compact with Texans**

The Texas State Board of Veterinary Medical Examiners is the State's agency that regulates the practice of veterinary medicine by licensing and regulating veterinarians. It also takes action against non-licensed persons who violate the Veterinary Licensing Act by practicing without a license. The Board and its staff are committed to excellence in their service to the public and the veterinary profession. The Board's first priority is to protect the public. It must maintain high standards for veterinarians who seek licensure in Texas and those who are already in practice. The Board also has a commitment to its licensees to keep them informed about the law, its rules, and related information.

All individuals who contact the Board can expect:

- Easy access to agency services;
- Consumer friendly processes;
- Agency staff that are courteous, knowledgeable, and responsive to their needs;
- Answers to questions and requests for information provided in a timely manner; and
- Services provided in an efficient manner that meets the customer's needs and yet remains fiscally responsible.

## **I. AGENCY STRATEGIC DIRECTION**

### **A. Agency Goals, Objectives and Strategies**

**Goal:** To establish and implement reasonable standards for veterinary practice, investigate complaints, and enforce Chapter 801, Texas Occupations Code, to ensure that safe and effective veterinary services are delivered to the citizens of Texas.

**Objective:** To operate a licensure system that will assure that 100 percent of all veterinarians meet minimum licensure standards.

**Strategy:** Operate an effective and comprehensive veterinary licensure program to include initial licensure by examination and ongoing renewal of licenses.

**Objective:** To investigate all complaints received and take disciplinary action against veterinarians who have violated the law and/or Board rules; conduct a compliance program to secure voluntary compliance with the law and Board rules; and provide a peer assistance program to licensed professionals who are impaired because of chemical dependency.

**Strategy:** To investigate all complaints received within strategy guidelines and take disciplinary action against veterinarians who have violated the law and/or Board rules and conduct a compliance program to secure voluntary compliance with the law and Board rules.

**Strategy:** To conduct inspections on-site and by mail, in order to enhance compliance of licensees.

**Strategy:** Identify, refer, and assist veterinarians whose practice is impaired because of chemical dependency or mental health issues.

### **B. Anticipated Changes to Strategies**

The Board anticipates many changes over the coming years due to changes within veterinary medicine, technology, reduced funding levels, an increase in licensees and an increase in complaints received. These changes will present challenges that the Board will endeavor to meet.

The Board has historically seen an increase in licensees each fiscal year. Additionally, the number of complaints received by the Board, while fluid, has consistently risen over the years. In addition, the number of licensees and non-licensees seeking contested hearings before the State Office of Administrative Hearings has steadily increased over the years. These trends toward increased workloads will require adjustments in the agency's business processes and additional staff in order to meet the needs of our customers and strategic requirements.

As our world becomes more technology driven, the Board will continue to make adjustments to accommodate such changes, including an increasing number of licensees renewing online and the need to provide more consumer information on the agency's website.

### **C. Budget/Financial Forecasts**

Severe budget constraints have impacted the agency negatively in the area of workforce, specifically in the investigator positions. The lack of equitable pay has led to a high turnover rate in the enforcement division. This lack of equitable pay coupled with the Board's investigators not being peace officers has impeded the Board's ability to attract qualified staff when vacancies occur. Qualified individuals

in the law enforcement area are concerned about losing their own peace officer status by working for an agency without such status as well as the possible loss of additional weekend pay potentially available with other entities as a peace officer.

In an effort to improve the agency's ability to attract and retain qualified staff, the Board will seek additional funding as an exceptional item during the next Legislative session. These funds will be utilized to attract and retain qualified staff as needed.

**D. Anticipated Legislative Changes**

During the upcoming Legislative session, the Board anticipates a significant change that will impact its ability to meet strategic requirements and serve its customers. Specifically the Board anticipates legislation to authorize the Board to license and regulate Registered Veterinary Technicians (RVTs). Should this legislation be enacted, the Board anticipates the need for one additional investigator as well as two additional licensing administrative positions.

Primarily, the Board will seek authorization and funding for new positions to meet the growing workload.

**E. Scope of Workforce Plan**

This Workforce Plan will address areas most critical to meeting agency strategic requirements and customer needs, and ensuring the agency's compliance with the State Classification Plan.

## **II. WORKFORCE ANALYSIS**

**A. Current Workforce**

The Board's current workforce consists of 16 full time positions. Classifications include:

- Executive Director
- Executive Assistant II
- General Counsel II
- Manager III
- Investigator V (2)
- Investigator IV (1)
- Investigator III (1)
- Program Supervisor VI
- Administrative Assistant I (1)
- Administrative Assistant II (1)
- Accountant V
- Accounting Technician I
- Licensing and Permit Specialist III
- Licensing and Permit Specialist I (2)
- Legal Secretary II
- Attorney II

**B. Critical Workforce Skills**

There are numerous skills necessary for successful completion of the agency's core functions. These skills include:

- Executive Level Management
- Customer Service
- Investigative
- Analysis/Research
- Mediation/Arbitration
- Communication (Oral and Written)
- Legal Experience
- Problem Solving
- Critical Thinking

- State Budgeting/Governmental Fund Accounting
- Advanced Computer Skills
- Business Office Management
- Computer Skills (skill requirements range from entry-level to highly-skilled information technology specialists)

**C. Workforce Demographics**

As of June 1, 2014, the Board had a total headcount of 18 employees. The agency is authorized to have a total of 18 full-time equivalents (FTEs). The following tables profile the agency's workforce as of June 1, 2014.

	Gender	
	Number of Employees	Percent of Employees
Male	4	22%
Female	14	78%

	Age	
	Number of Employees	Percent of Employees
20 – 29 years	2	11%
30 – 39 years	2	11%
40 – 49 years	3	17%
50 – 59 years	9	50%
60 – 69 years	2	11%

	State Tenure	
	Number of Employees	Percent of Employees
0 – 5 years	6	33%
6 – 10 years	4	22%
11 – 15 years	5	28%
16 – 20 years	0	0%
21 – 25 years	1	6%
26 – 30 years	0	0%
31 – 35 years	2	11%

	Agency Tenure	
	Number of Employees	Percent of Employees
0 – 5 years	11	61%
6 – 10 years	4	22%
11 – 15 years	2	11%
16 – 20 years	0	0%
21 – 25 years	0	0%
26 – 30	1	6%

**D. Workforce As Compared With Statewide Civilian Workforce**

The following table compares the Board's percentage of African American, Hispanic and Female employees to the statewide civilian workforce as reported by the Texas Workforce Commission Civil Rights Division.

Job Category	African American		Hispanic American		Female	
	Board%	State %	Board %	State %	Board %	State %
Officials/Administrators	0%	8.9%	0%	19.51%	100%	39.34%
Professionals	0%	11.33%	17%	17.40%	33%	59.14%
Administrative Support	14%	13.57%	29%	30.53%	100%	65.62%

The Board is under-represented in all of the African American and Hispanic categories as well as in the Professional category for females. Because the Board has a small number of staff, only 18 FTEs, and maintains a small budget, \$1,053,651 for FY2014 and \$1,055,579 for FY2015, the Board faces many challenges in attracting a diverse group of applicants from which to choose the most qualified applicants when vacancies arise. A small staff means that promotional opportunities are very limited. A small budget limits the Board in its competitiveness with larger governmental entities and its ability to recruit experienced personnel and retain newly trained employees. In addition, funds are limited for staff development.

The Board continues to utilize as many tools as possible to seek a diverse applicant pool, including advertising with Work In Texas, a web based job Board with the Texas Workforce Commission, providing copies of announcements for all positions to be filled externally to minority and women's organizations, and, when funding is available, placing advertisements in local newspapers. The Board has developed a Recruitment Plan, which is utilized and updated as necessary to address the deficiencies.

**E. Employee Turnover**

Turnover experienced by the Board can be attributed to salary dissatisfaction, increased workload as a result of legislative initiatives, and an increasing licensee base, and lack of advancement opportunities. In past years, the Board has been able to utilize merit increases, one-time merits and other retention tools to encourage employees to remain with the Board. While the Legislature has provided sufficient tools for the attraction and retention of highly qualified employees, the lack of funding has not allowed the agency to utilize them.

Following is a chart that shows the Board's turnover rate as compared to the overall State turnover for fiscal years 2009 – 2013.

Fiscal Year	TBVME	State
2013	11%	17.6%
2012	33%	17.3%
2011	26.7%	16.8%
2010	19.0%	14.6%
2009	16.7%	14.4%

**F. Employee Attrition – Retirement**

The Board currently has 2 employees that are eligible for retirement, representing 11% of the Board's workforce. In addition, the Board currently employs 2 return-to-work retirees, 11% of its workforce. This means that the Board is at risk of losing 22% of its workforce over the next 5 years. The loss of institutional knowledge and expertise within the agency, coupled with normal attrition, poses a critical workforce dilemma for the Board as well as the state.

To combat the loss of institutional knowledge and expertise as these employees leave the agency, the Board continues to document job procedures and agency history. The Board will also continue to cross train its employees to allow for a smoother transition as employees leave.

**G. Agency Workforce Needs – Expected Workforce Changes**

- Attrition through retirement;
- Increased need for additional staff due to changes in workload;
- Increased use of technology to revise and streamline work processes; and
- Greater demand for web-related services;

## H. Anticipated Program and Workload Changes and Shortfalls

### *Enforcement*

Veterinary medicine is an ever-changing field. With constant advances in medical technology and changes in treatment protocols, the demands placed on veterinarians are increasing dramatically. In addition, many individuals see themselves as guardians of animals instead of owners, placing more emphasis on the emotional attachment to animals. Some individuals even see their animals as companions. This opens the door to more litigation and more complaints. As a result of these changes, the number of complaints received by the Board has increased. For FY 2014, the Board anticipates receiving approximately 500 complaints.

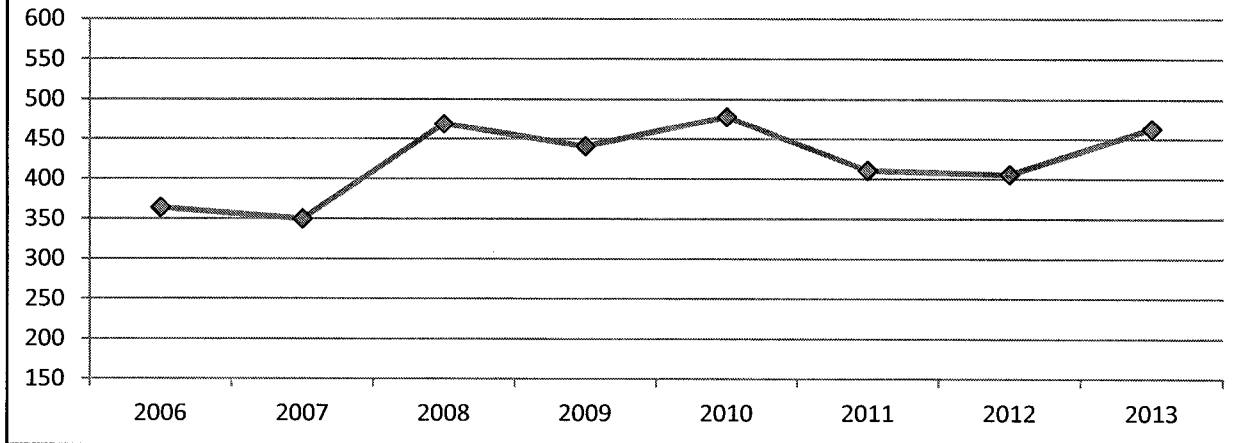
The number of licensed veterinarians has increased from 7,114 in 2008 to 8,136 in 2013. Our current funding allows for 600 on-site inspections per year. Our percentage of veterinarians that are inspected per year has dropped from 8.4% to 7.4%. We would prefer that this percentage increase rather than decrease. We have seen a significant increase recently with drug diversion and serious mental health issues. Some of these problems have been discovered during on-site inspections and some have been long term problems. It certainly is better for the public and the licensee to discover drug diversion, substance abuse, and serious mental health problems as early as possible.

Each individual investigator has a responsibility to investigate a complaint by contacting both the complainant and the responding licensee, gathering information relating to the complaint including patient records and other documentation from both parties to support their argument and obtaining second opinions from veterinarians not connected to the case. In order to allow the Board to make a fair decision, investigators are required to delve into medical matters and understand medical processes and terminology to allow them to write comprehensive, informative reports of investigation that are then sent, along with supporting documentation, for medical review. They also attend informal conferences to provide information to the enforcement committee and answer questions. In addition to the investigation of complaints, Board investigators complete special investigations as needed and enforcement staff spend significant hours per day on the phone answering questions relating to the laws and rules that govern veterinary medicine.

Unlike most medical professions, veterinarians purchase and maintain dangerous drug and controlled substance inventories within their practices. On-site inspections allow investigators to ensure that these controlled substances are maintained and utilized in a manner consistent with applicable laws and rules. These on-site inspections also allow investigators to review patient and continuing education records and licensees to receive one-on-one contact with the Board. This contact gives the licensee the opportunity to ask questions. On-site inspections also allow the Board an opportunity to keep up-to-date on the workings of a veterinary practice.

In Fiscal Year 2001, the Board received a total of two hundred fifty-three (253) complaints. In Fiscal Year 2005 the Board received two hundred ninety (290) complaints with four hundred seventy-eight (478) being received in Fiscal Year 2010. In Fiscal Year 2012 the Board received four hundred six (406) complaints and received four hundred sixty-three (463) in Fiscal Year 2013. The Board anticipates receiving approximately 500 complaints by the end of Fiscal Year 2014.

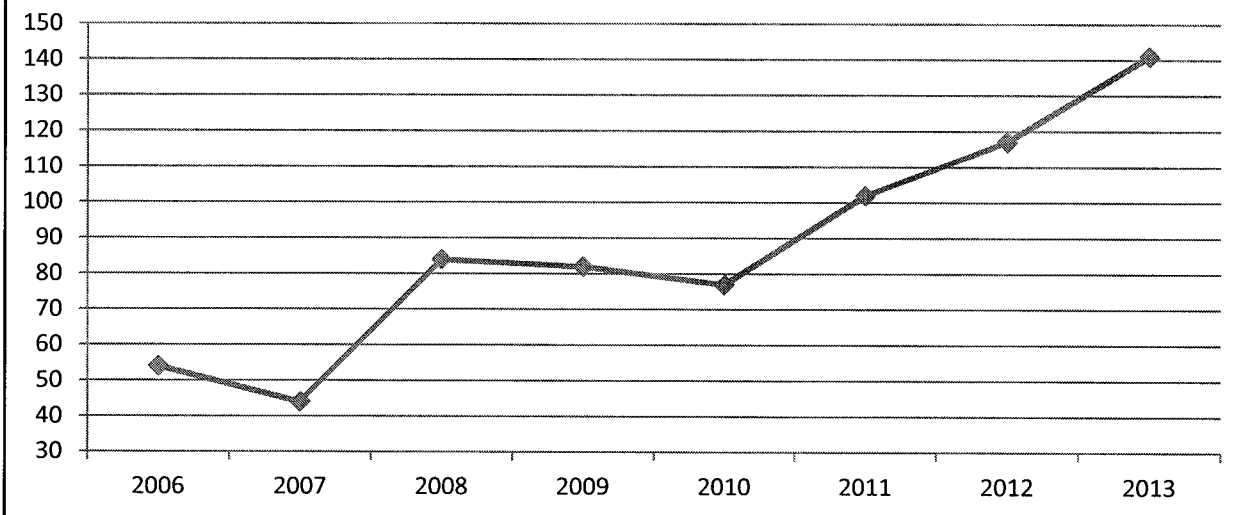
## Complaints Received by Fiscal Year

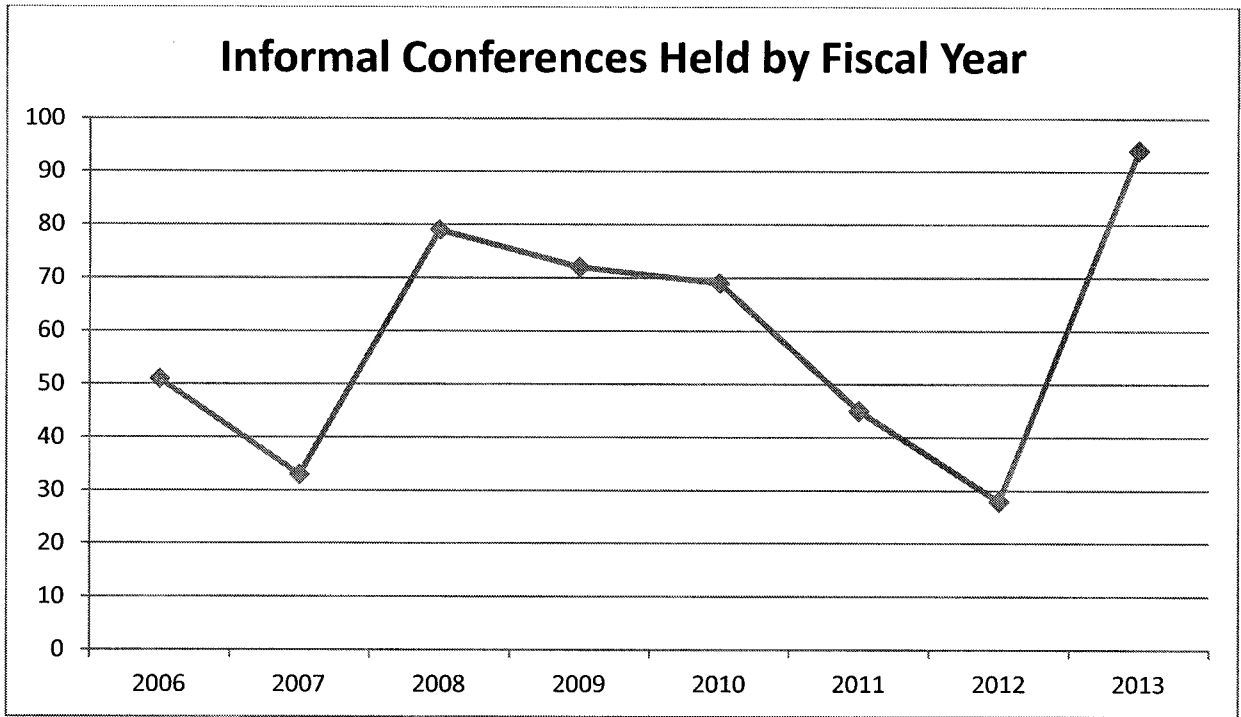
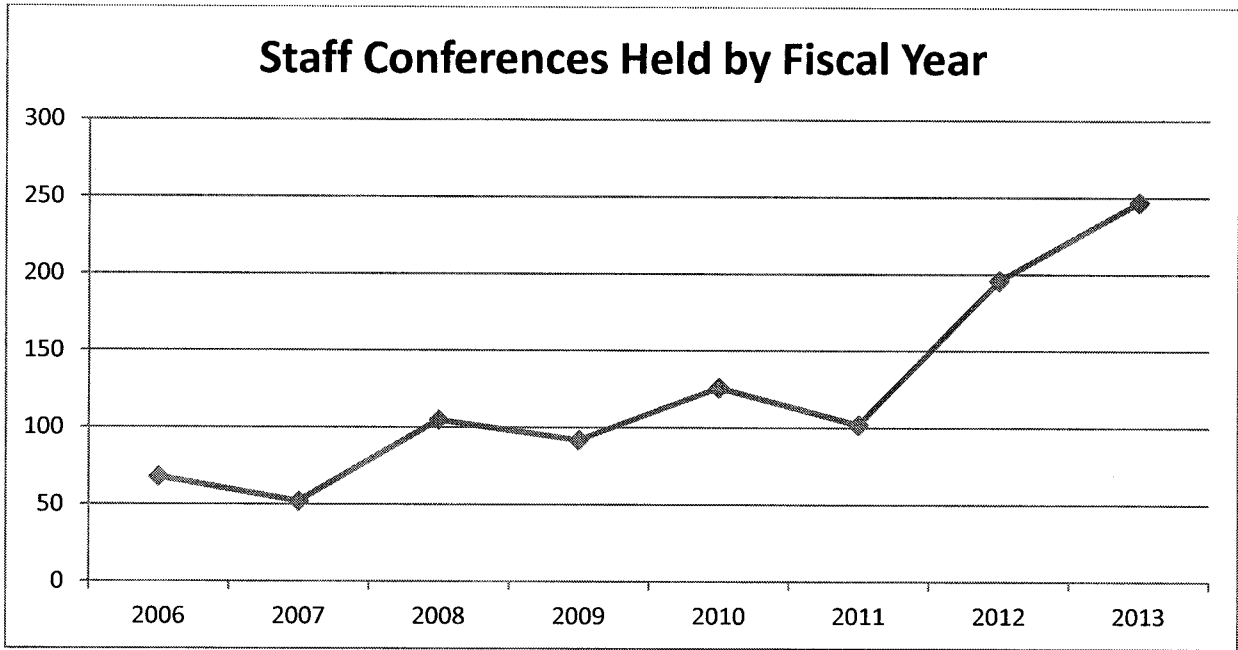


### *Legal*

Until September of 2007, the Board's only attorney was part-time. At this time there are two attorneys within the General Counsel's office: the General Counsel and a staff attorney. While the backlog of cases has decreased, a backlog remains. Further, the General Counsel's office has seen an increase in cases and an increase in the complex nature of those cases. The number of licensees is also on the rise which will logically lead to an increase in cases as well. This change in circumstances demands additional resources and experience. The Board's budget only permits a lower salary for its staff attorney; therefore, it often is only able to hire an attorney with less experience. This requires time and resources for training. Once the attorney has obtained such training and institutional knowledge, they often leave employment with the Board for higher salaries in other agencies, often within the Health Professions Council. The Board then begins the process again. This is a waste of the Board's time and resources. The amount and nature of cases the Board is currently experiencing and expects to experience in the future necessitates additional funding to obtain and maintain quality legal representation.

## Agreed Orders Approved by Fiscal Year

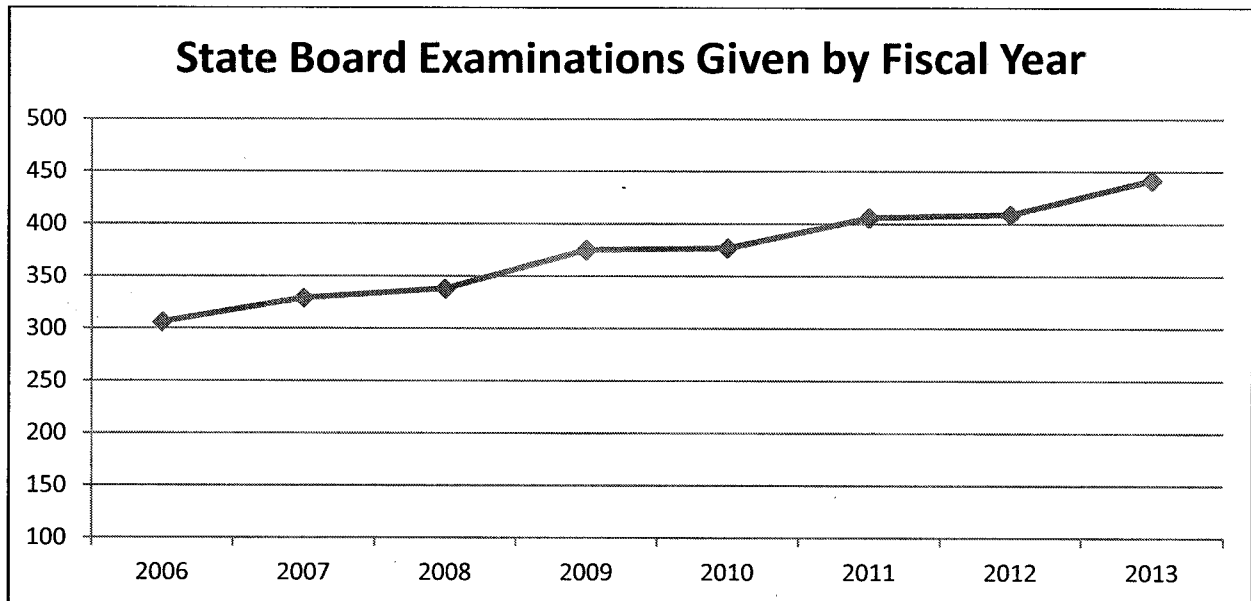
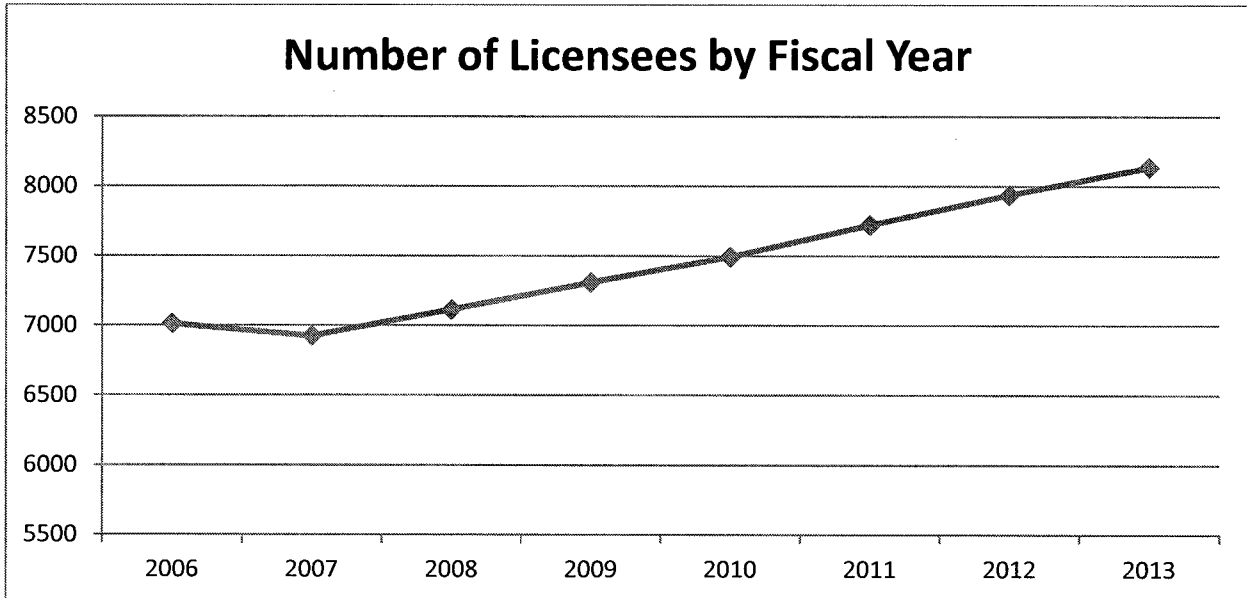




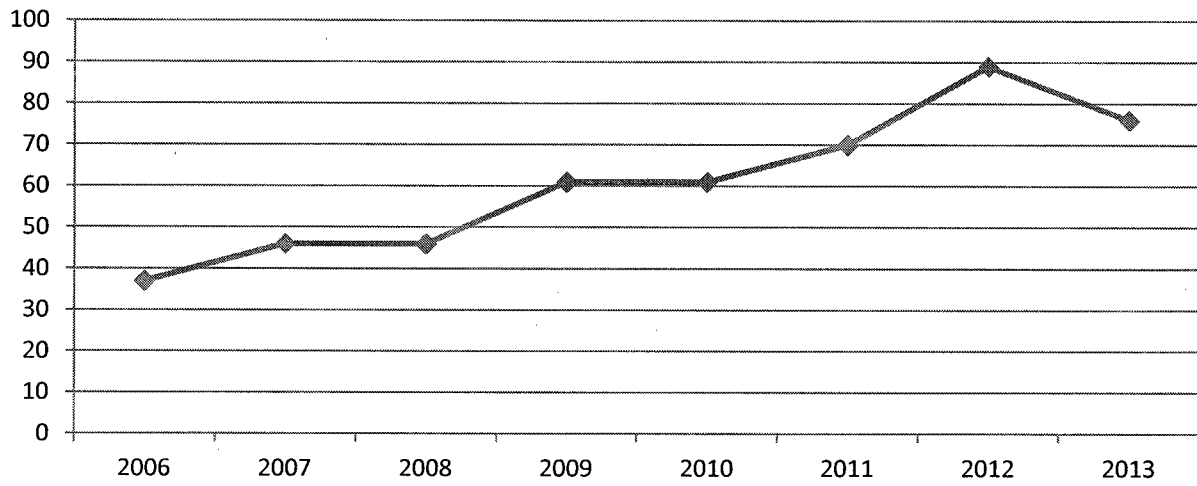


**Licensing and Examination**

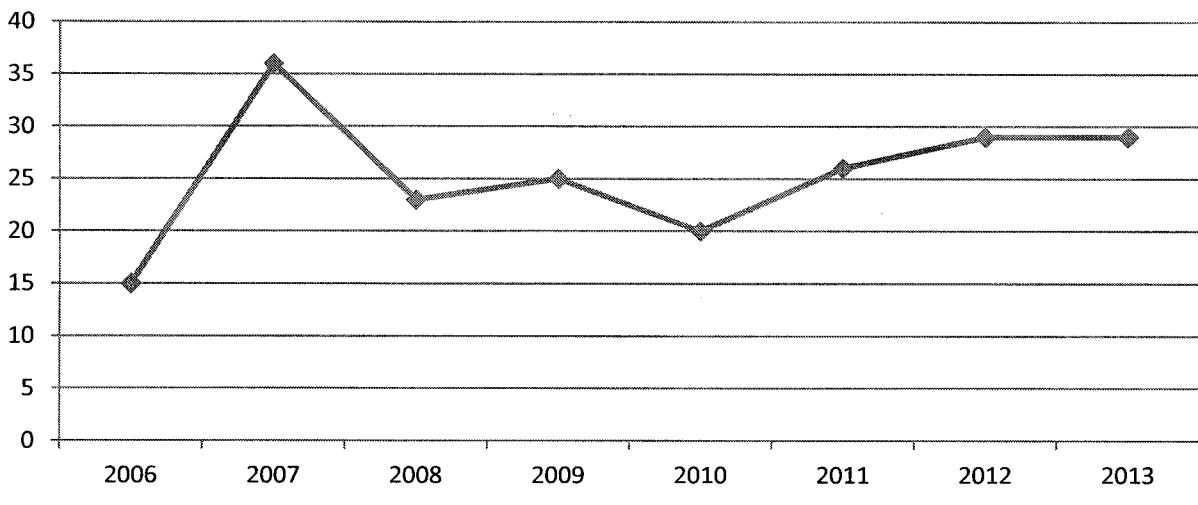
The agency currently has four FTEs operating its licensing and examination program. The licensing and examination division is responsible for administering the State Board Examination, the Provisional and Special License examinations, issuing licenses to qualified individuals who apply for a State of Texas veterinary, veterinary technician or equine dental provider license, and annual renewal of each license. From FY2006 to May 2014, the agency's licensee base increased by 19.93%.



### Provisional Examinations Given by Fiscal Year



### Special Examinations Given by Fiscal Year



**I. Future Workforce Skills Needed**

With the evolution of veterinary medicine, an increasingly mobile licensee base, changes in business processes, and the continued need for strong leadership, the agency anticipates a greater need in the following skills:

- Leadership;
- Critical thinking;
- Problem solving;
- Communication;
- Change management;
- Expanded technological; and
- Advanced time management.

The continued development of these skills within agency staff will enable the agency to successfully complete its mission in the coming years.

**J. Anticipated Surplus or Shortage of Skills**

Based on the agency's workforce analysis, the follow issues must be addressed:

- The agency's Licensing and Examination division consists of 4 FTEs. The Licensing and Examination Director has been with the agency for 26 years and is eligible to retire, and two other FTEs in this division are return-to-work retirees. The loss of any of these employees could seriously impact the agency's license process.
- The high number of employees with just a few years of experience in their positions requires more time and resources spent training.

**III. STRATEGY DEVELOPMENT**

While the Board faces many challenges in its workforce over the next five years, most can be addressed by the following objectives:

**Objective:** Obtain additional staff necessary to successfully meet agency strategic responsibilities.

**Action Steps**

- Identify staffing deficiencies;
- Seek FTEs and funding from the Legislature; and
- Hire appropriate staff.

**Objective:** Adjustments to current employment placement within the State's compensation schedule.

**Action Steps:**

- Identify staff inappropriately placed within the State's compensation schedule; and
- Seek funding to allow for appropriate placement.

**Objective:** Continue to Develop and Document Job Procedures

By continuing to develop and document job procedures, the Board can build a library of resource material for its future workforce. This action will effectively reduce the "brain drain" that will happen as experienced workers leave the agency.

**Action Steps**

- Identify undocumented procedures;
- Provide guidance to staff on process documentation techniques;
- Ensure sufficient available time to allow staff to complete the documentation process; and
- Include the protection of completed job procedure documentation in the agency's Business Continuity Plan.

**Objective:** Continue Seeking Diversity Within the Applicant Pool and the Agency's Workforce.  
By continuing to seek a diverse applicant pool that includes all qualified individuals, the agency can build a resource of individuals with a wide range of ideas and experience. These attributes can better help the agency to deal with changes in workload and challenges as responsibilities are added.

**Action Steps**

- Continue to identify and refine ways to attract a more diverse pool of applicants;
- Continue to hire the most qualified applicants; and
- Continue to identify ways to retain those qualified individuals.

**Objective:** Develop a competent, well-trained workforce.  
It is imperative that the agency continues to cross train all agency employees to ensure that agency processes are not disrupted as employees leave. The agency should provide training to its employees whenever possible, utilizing both free and low cost training. This measure will ensure that, where possible, current employees will have opportunities for advancement, thereby increasing the agency's retention ability and that new technologies will be added to the agency's repertoire.

**Action Steps**

- Identify agency critical skills and competencies with input from divisions;
- Assess the level of risk facing the agency regarding the potential loss of knowledge and focus
- Training efforts in those areas; and
- Expand and enhance staff development to include effective leadership and mentoring
- Assessing and addressing division specific training needs.

